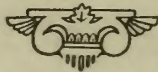






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THESIS

Ethics of Contemporary Advertising

by

Mary Francesca Kelly  
(A.B. Smith College 1929)  
(B.S. Simmons College 1930)

submitted in partial fulfilment of  
the requirements for the degree of  
Master of Commercial Science

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## I

INTRODUCTION

A discussion of "Ethics of Contemporary Advertising" is most timely, as the subject is being considered today by the consumer, the advertiser and the legislator. Ethics in business develop as a result of competition. Higher standards prevail in prosperous times when there is business enough for everyone, and fair practices are as successful in bringing quick sales as unfair means. It is in hard times, when competition becomes intense and businesses fight for their very existence, that the breakdown in ethics comes. "Foul" means prove, in many cases, to be more effective than "fair," and unfair competition becomes rampant.

It is in such a situation we find ourselves today. Business is passing through a serious crisis from which it has not yet entirely emerged. Illegitimate business methods have increased and multiplied at an alarming rate. All self-respecting citizens are resentful of sweat-shop labor wages, an abuse which made capital of unfortunate men and women who would work for any wage rather than be unemployed. Again, the tendency of "big" business to trample on the small business-man, pushing him to the wall and, in many cases, forcing him to failure, has also aroused the ire of the general public. But it is only within the past few years that the average citizen has come to realize that he is involved in a more subtle





business crisis--his credulity and interests are being flouted by unscrupulous advertisers. His habits and his standards of living are at the mercy of the copy-writers and he is beginning to feel rebellious.

The honest advertising man--and there are many of them, in spite of Messrs. Chase, Kallet and Schlink--has been aware of the fact that reform was imminent for a long time. Advertisers of this type have been working for betterment in advertising through associations, business bureaus and in the form of attempted boycotts or written censure, for the past quarter century. At times the law has joined its forces, but the consumer himself has been apathetic.

This discussion of "Ethics of Contemporary Advertising" has been written with a view toward clarifying in some degree what the situation has been in the past, what it is today, and what the means available for its improvement are. An attempt is made to show how the consumer can aid in improving a situation which has become detrimental to his best interests. The general public must be aroused, must do more than laugh at affronts to its intelligence. Advertising has been, and still is, in many instances, a great educational force. It has raised the standards of living of the American people in an admirable manner. It has provided the consumer with better products more





attractively packaged, and at lower prices.

The consumer should be loath to see this industry, which has accomplished so much in the field of social improvement, commit suicide by exaggerating its purpose and falsifying its methods. The "society endorsement" evil, ridiculous "romances" and mistaken "humor" are robbing advertising of its credulity. The fact that such a situation could exist in a civilized and intelligent nation is amazing in itself. It prevails because a few very able and brilliant advertising men of this day and generation profess to see nothing wrong in such practices, reiterating old fallacies that the end justifies the means--that any advertising that produces satisfactory response must be good advertising--that coupon returns are the best measure of public regard after all.

This is a short-sighted viewpoint, but it brings out the fact that consumer reaction is after all the test of good or bad advertising. If the consumer reacts unfavorably, advertising will soon mend its ways. But in order to be effective this unfavorable reaction must be publicly expressed and well-organized. Articles should be written in newspapers and magazines to stir the general public. Consumers should be told of the indignities which they are tolerating. The betterment-in-advertising movement should be given wide





publicity. It should be brought to the attention of everyone instead of simply a selected group. At the present time critical articles appear in various trade magazines, speeches are made before advertising associations and lobbyists talk before the Legislature, but the general public, the party most concerned, has not been included in the discussion. Publicity in regard to this question has not been directed toward the average citizen, yet he must be told of the abuses, the dangers of these abuses and the methods by which a defensive campaign may be waged. It is through interest in this purpose that I have attempted to summarize the betterment-in-advertising movement.

There have not been many theses written locally on this subject. In the Boston University Library, although there are many theses on advertising, only three deal with the ethical aspects of the subject. These theses are:

- "ACCURACY IN ADVERTISING--An Analysis of Newspaper Advertisements to determine whether or not they are truthful" by Noel P. Laird
- "FRAUDULENT ADVERTISING" by Dorothy Louise Safford
- "ADVERTISING AND THE ADVERTISING AGENCY" by Thomas J. Keavy.





## II

GROWTH OF ADVERTISING

A brief survey of the background and development of advertising will help in acquiring an appreciation of the problems which confront both the advertiser and the consumer at the present time. This industry has grown with amazing rapidity, the very speed contributing in no small way to the ruthless methods adopted and the obvious lack of ethics. Competition is the byword, and "all's fair in love and war" appears to be the slogan.

Advertising, as we know it today, has been developed through the last seventy-five years. The end of the nineteenth century saw it well on its way to becoming an influential factor in all types of business. However, we find evidences of advertising of one sort or another as far back as man has been known to have any method of recording ideas by means of visible symbols. The development of advertising may be traced through four stages of growth:

1. The pre-printing stage prior to about 1450
2. The early printing period from 1450 to about 1850
3. The modern period of expansion from 1850 to 1911
4. The period of development of standards of practice and the introduction of research methods from 1911 to the present.<sup>1</sup>





## THE PRE-PRINTING STAGE

The pre-printing stage includes all forms of publicity from the date of the formation of the first community, with its resultant spirit of competition, up to 1450, when the modern process of printing by moveable type was invented.<sup>1</sup> Large scale advertising was not feasible without some means of quick duplication, so the very early forms were usually laboriously written out by hand. They were found on whitewashed walls and on sheets of papyrus. The earliest known piece of advertising, written on papyrus about 3000 B. C., is today in the British Museum.<sup>2</sup> It was found in the ruins of ancient Thebes in Egypt. It corresponds to what we know as a handbill and offered a reward for the return of a runaway slave.

Bill-boards were known in Rome during the time of the Caesars.<sup>3</sup> Advertisements of gladiatorial exhibitions were posted in various parts of the cities. An early bit of advertising in Greece is interesting as it shows a curious bit of earthliness mixed with faith in the numerous ancient gods. Sheets of lead, on which had been inscribed curses assigning those who owed or had stolen from the advertiser to the vengeance of the Gods, were hung on the statues of the deities which were erected in public places.<sup>4</sup> This was publicity with a two-fold

1--Principles of Advertising--Starch

2--Ibid

3--Ibid

4--Ibid





7  
purpose and a double appeal. The advertiser hoped shame would foster retribution or payment, and if that failed, that the Gods would mete out just punishment to the offender.

The ruins of Pompeii and Herculaneum have brought to light interesting announcements painted in colors on the walls of buildings. Baths--warm, sea and fresh water--were advertised. Houses for sale and to let were posted in a like manner, and the whitewashed walls of many houses were inscribed with announcements of the activities of the members of the household. This practice was also found in Greece and Rome even before the Pompeian ruins which are dated 79 A. D.<sup>1</sup>

Trade-marks were not unknown in these ancient times, as many identical symbols have been found on pottery and vases. There is no doubt but that the maker wished to identify his ware.

A second forerunner of contemporary advertising was the professional town crier, a direct ancestor to the radio broadcaster. There were many criers in the various larger cities of Europe during the 13th and 14th centuries. In France they were a well-organized body and made advertising of taverns their special business.<sup>2</sup> In fact, regulations provided that a crier could attach himself to a tavern, even if the keeper was not desirous of his services, provided no crier was already employed.<sup>3</sup> In 1641 there were

1--Ibid

2--Ibid

3--Ibid





four hundred town criers in Paris, advertising the wares<sup>1</sup> of the shops and the services of the professional men. Public announcements were made in the same way. Histories, which include the regulations made to control the members of this profession, give one the impression that many unscrupulous methods of acquiring a "following" were used, and a code of behavior was consequently devised.

### THE EARLY PRINTING PERIOD

Modern methods of printing made possible rapid and indefinite duplication of printing and widespread advertising by print was now possible. This began what is called the second stage of advertising. With the new system of printing came the newspapers, the first in Strassburg in 1609.<sup>2</sup> The first in France was "Les Petites Affiches" published in 1612.<sup>3</sup> London had the "Weekly News" in 1622.<sup>4</sup> Boston had the first American newspaper which was called "Publick Occurrences both Foreign and Domestick," published for the first time in 1690. Later, in 1704, the "Boston News Letter" appeared, edited by John Campbell, then post-master of Boston. By 1776 the Colonies had thirteen newspapers.<sup>5</sup>

In the early papers there were very few advertisements, with the exception of "Les Petites Affiches," which was really published expressly for that purpose.<sup>6</sup> Gradually, however, "private notices for public attention" were found

1--Ibid

2--p. 21--Principles of Advertising--Starch

3--Ibid

4--Ibid

5--p. 22, Ibid

6--p. 21, Ibid





in all the papers. In 1788 the "Independent Gazette" contained thirty-four advertisements, most them offering rewards for the return of runaway slaves. Now and then slaves were advertised for sale: "Two very likely negro boys and also a quantity of very good lime juice to be sold cheap."<sup>1</sup>

Early advertisements of this period, especially in England, were for various beverages--coffee, tea, and chocolate. Tea was described as "the cup that cheers but not inebriates."<sup>2</sup> Claims for coffee, which surely would have brought a storm of protests in these days of critical reading, were that "it quickens the spirit, and makes the heart lightsome"--an echo of which appeared recently in Chase & Sanborn's "Tea stirs the emotions" campaign--"it is food against sore eyes, and the better if you hold your head over it and take in the steam that way....It is excellent to prevent and cure dropsy, gout and scurvy ....It is a most excellent remedy against the spleen, hypochondriac winds, and the like....It is observed that in Turkey where this is a general drink, that they are not suffering with the stone, gout, dropsy, or scurvy, and that their skins are exceedingly clear and white. It is neither laxative or restringent."<sup>3</sup>

This entertaining discourse on coffee was written by Pasqua Rosec, a Greek, for a hand-bill to be distributed

1--Ibid

2--Ibid

3--p. 23, Principles of Advertising--Starch





to the people of London, where he had opened a coffee shop in 1652. It is preserved in the British Museum.<sup>1</sup>

London had a new weekly in 1657 which was devoted simply to advertisements. It was called the Publik Advertiser, and accepted notices and announcements of all sorts.<sup>2</sup> In Sampson's "History of Advertising," many of these early advertisements are reprinted and we find quack remedies and cure-alls making all manner of extravagant claims. Two centuries later, a new market for this type of product was found in gullible America. The newspapers, travelling shows and bill-boards all blazoned these marvelous medicines to the eager public.

The faith in the power of print, manifested in these early advertisements, is apparent in the naivety of some of the "copy." A "gentleman" advertises hopefully for a bride in the Daily Advertiser of 1777.<sup>3</sup> He states:

"Wanted, by a young Gentleman just beginning House-keeping, a Lady, between eighteen and twenty-five years of age with a good education, and a Fortune not less than 5000 li., sound Wind and Limb, Five Feet Four Inches without her Shoes; not fat, nor yet too lean; a Clear skin; Sweet Breath, with a good Set of Teeth; no Pride, nor Affectation; not very talkative, nor one that is deemed a Scold; but of a Spirit to resent an Affront; of a Charitable Disposition; not over fond of Dress, though always decent and clean; that will entertain her Husband's Friends with affability and Cheerfulness, and prefer his Company to public Diversions and Gadding About; one who can keep his Secrets, that he may open his Heart to her without reserve on all Occasions; that can extend domestic Expenses with Economy as Prosperity advances without Ostentation; and retrench them with cheerfulness,

1--Ibid

2--p. 27, Ibid

3--Ibid





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if Occasion should require. Any lady disposed to Matrimony, answering this description, is desired to direct for Y. Z. at the Baptists Head Coffee House, Aldermanbury. N. B. None but Principals will be treated with, nor need apply that are deficient in any one Particular; the Gentleman can make adequate Return, and is, in every Respect, deserving a Lady with the above Qualifications."

The above advertisement seems very amusing, but on reflection, it loses its humor when we realize that such an advertisement is an abuse which has never been corrected. We have matrimonial bureaus today and newspapers, especially in farming localities, which accept their announcements.

During this early period of advertising, the industry was used as a source of revenue for the English government. A tax of 3s. 6d. was imposed upon every advertisement re-<sup>1</sup>gardless of length or subject matter. This tax was abolished in 1853. This type of taxation has not been given any very serious consideration here in the United States, in spite of the fact that during the past few years anything and everything has been scrutinized as a means of raising federal revenue. However, it may not be long before it is discussed, as national attention is being directed to the vast appropriations spent in advertising. Many people feel that this item should be included in the "luxury" class and be subject to taxation. Certainly taxation would put an end to many of these extravagant campaigns and would probably lower the price of various articles now sold in retail markets.





### The Modern Period of Expansion

The rapid appearance of magazines and newspapers after 1850 marks the beginning of the modern period of advertising.<sup>1</sup> During this period the transportation systems, the railroads, and the waterways were developed. New communities were opened up and a national distribution of goods was made possible. Up to this time there had been no need of any other than a local advertisement for a product, as distant markets were not available. Now, however, goods could be distributed generally and fairly rapidly. Publications advertising these goods could reach every corner of the country, opening up new markets as they gained new readers.

The formation of advertising agencies quickly followed the rise of newspapers and magazines. Their origin was in the capacity of space brokers for publications. They were the jobbers between the man who wished to advertise and the publisher who had space to sell. In the early days they were apt to collect on both ends, and acquired an unfortunate reputation for unscrupulousness.<sup>2</sup> As the number of magazines and newspapers increased--in 1861 there were five thousand, two hundred and three magazines, papers, and periodicals of all kinds in the United States<sup>3</sup>--the duties assumed by the agencies grew apace. Counsel as to advertising matter and the medium best suited for

1--p. 7, Advertising Agency & Procedure--Keeler

2--Ibid

3--Principles of Advertising--Starch, p. 29-30

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presentation of the copy was offered by J. Walter Thompson,  
 as early as 1864,<sup>1</sup> the date his agency was founded. Ad-  
 vertising as we know it today, pages in newspapers and  
 magazines, was developed in the decade from 1860 to 1870.<sup>2</sup>  
 Rates became fairly standard and practices more uniform.  
 Up to this time advertising had been haphazard, but it  
 now settled down to being a serious business, controlling  
 large investments and affecting the habits of many people.

#### Period of Development of Standards and Introduction of Research

By 1911, advertising has assumed a place of so great  
 importance that a need for regulations to govern practices  
 was universally felt.<sup>3</sup> Rates had stabilized themselves  
 but untruthful advertising was rampant at this time. A  
 campaign was waged and "Printers' Ink," the advertisers'  
 Journal, drew up a model statute called the "Printers'  
 Ink Statute" which has been adopted in many States.<sup>4</sup> This  
 began a movement which has continued until this day, increas-  
 ing in vigor as unethical practices have become particularly  
 obnoxious. "Truth in advertising" was the standard  
 Printers' Ink Statute sought to establish. Many attempts  
 have been made since to enforce this practice, the basis  
 of all "good" publicity. Fair-practice Codes, Federal  
 regulations and Better Business Bureaus all strive to  
 enforce honesty on advertisers, but as punishment is light,  
 offenders are not impressed by the seriousness of their

1--Principles of Advertising--Starch, p. 29-30

2--Principles of Advertising--Starch, P. 29-30

3--p. 30 Principles of Advertising--Starch

4--Ibid

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1-Principles of Advertising--Standard, p. 19-20

2-Principles of Advertising--Standard, p. 20-25

3-Principles of Advertising--Standard

4-1912



crime. The problem is being brought to the attention of the American people, however, and it is hoped we shall soon see the formation of some effective means of raising advertising standards.

Research studies of products nationally advertised, comparing results with claims made by producers, are doing a great deal to improve conditions. Research can be used not only to expose a product but also to determine which type of advertising is the most profitable. With proper consumer co-operation research studies of the latter type could do much to eliminate unethical advertising. The industry is being placed on a scientific basis and as truth is the foundation of all science, the future of advertising may not be as dark as its present seems to be.





## III

ETHICS IN CONTEMPORARY ADVERTISING

Advertising has been an important factor in raising business to the powerful position in which it finds itself today. It is the foundation on which business has fortified itself. However, it is this same foundation which is now rotting and is thus contributing in some measure to the downfall of our prosperity. Unnatural markets were created, producing quick wealth, which stimulated wide expansion. Advertising then overreached itself and directed appeal toward the less conservative and less stable emotions. Consumers were encouraged in extravagance of all kinds, new desires were created and a buying orgy ensued. Production was speeded up in order to meet the rushed, frenzied tempo of an eagerly buying public. But such markets do not last, they are the first to collapse when conditions dictate curtailment. The crisis in which business finds itself today should be a lesson to all advertisers. They should pause and contemplate the true function of advertising. They should establish aims and draw up a code of procedure. Above all, the advertiser should remember that the consumer is his market and that the consumer's good is his ultimate good. His business health depends upon a steady consumer market, his suicide on falsely stimulated, inflated markets which result in heavy inventory losses.





## WHAT THE CONSUMER HAS A RIGHT TO EXPECT IN ADVERTISING.

A translation of the term "advertising" would define the practice as a "showing of the way." If such is its function, then providing a service to the consumer should be its procedure. Today mass production has necessitated mass distribution. A manufacturer cannot hope to move a tremendous stock of goods by personal contact. The time has passed when a salesman, travelling from one community to another, can successfully fulfill his purpose. A more efficient means of contacting the wholesaler, the retailer and the consumer has been found in advertising. Instead of depending upon the retailer to recommend a particular product to the consumer, the manufacturer has found it more expedient to do it himself--not only more expedient but necessary, as the retailer is apt to stock all brands impartially.

The producer wants the public to use his article and it is up to him to give the reasons why his particular article should be preferred. This is his opportunity to serve the public and if he is successful, he will build up a tremendous asset in good will for his company. The consumer will appreciate service, as he is bewildered today by the quantity of brands of every article for which he expresses a desire. He wishes to be sure he is getting the best for his money and the right article for his particular need. Trade names have





concealed quality and purpose and the consumer is at a loss to make his choice.

The consumer wants to know the truth about a product. He is entitled to correct labeling and to a correct interpretation of the usefulness of a product. If Mr. A's product is twenty-five cents more than Mr. B's product, the consumer should be informed why, not by knocking Mr. B's product but by truthful claims and descriptions.

Unfair competition, price-cutting and other unethical business practices greatly harm the consumer. Many times to combat these practices extensive advertising campaigns are waged, consumer interest is aroused, the market stimulated only to completely fail because the company's business ethics were not founded on a premise of public service. No one expects the average business man to turn philanthropist in the management of his business; he would soon find himself bankrupt if he did. All that we ask of him is that he remember that the public will be interested in his goods if he attracts attention, tells where his product may be bought and does not try to cheat.

It is difficult for a salesman to make extravagant claims when both the customer and the goods are right before him. He knows that the intelligent customer will challenge his statements and that insistence will only antagonize. These same conditions exist in advertising,





the master sales procedure. However, the advertiser seems to forget that his customer is usually a fairly intelligent human being who feels he is entitled to a degree of respect and would very much like to call a halt and play fair for a while.

The consumer wants to be entertained, he wants to be educated, he likes to hear about new things, he wants to know where to buy them and he is sincerely impressed by research studies. He knows that advertising has raised the standards of living and that he benefits in many ways from the results of advertising in a highly-competitive market. He recognizes the value of advertising and yet he has a complaint. Advertisers have taken advantage of his trust; his credulity is beginning to waver. He is becoming extremely conscious of the insults to his intelligence and of the grossly offensive deviations from the average American's standards of good taste. The consumer is rebelling. Organizations for protest have been formed and their ranks are constantly increasing. The Government has recognized the necessity of regulating the industry in order to avert the more flagrant abuses, and it is hoped that these warnings of dissatisfaction will hasten advertising powers to clean house from within, usually the most effective and lasting means of reform.

#### UNETHICAL PRACTICES IN ADVERTISING

All advertising tries to attract customers and build





good will. Confidence in your particular product is what brings the public to seek your wares and this confidence-- or continuous confidence, the kind that pays, is only built on honesty. The advertiser should build upon a program of scrupulous honesty for two reasons; first, because fraudulent advertising destroys public faith and consequent interest in all advertising, and the advertiser thus loses the most valuable salesman he has in his business; and second, because return customers build a business and if an advertiser antagonizes customers through deception, he may frequently blame a business failure directly on his ethical policies.

### Dishonesty in Advertising

Direct dishonesty is not unknown but the indirect brand is more common. Exaggeration is said to be found<sup>1</sup> in one out of every three advertisements and while considered harmless by many people, its very danger lies in its prevalence. The consumer reads superlative statements and the more intelligent--and we assume that the greater mass of the American purchasing public is intelligent, although frequently it is evident that the advertiser does not--immediately discounts about 50% of the claims made.<sup>2</sup> This attitude, although the product has been noticed, prohibits the reader from retaining a "buying" interest and therefore about half the appropriation

1--Printers' Ink--Truthful Advertising is Essential to Business Recovery--Capper

2---Printers' Ink--Ibid





voted for advertising has been wasted. On the other hand, consumers who actually place any faith in exaggerated claims may find, after a trial purchase, that all is not as it should be and become extremely bitter. Instead of building good will, the advertiser finds sales dwindling and a bad reputation growing. Franker statements are more the order of the present day as superlatives have gone slightly out of date, but they are still numerous enough to keep Better Business Bureaus constantly investigating complaints. The question as to when a claim is an "exaggeration" can be settled only by a proof, a test of some kind, and unless the claim is provable, the advertisement is "tainted" advertising. For example, such a statement as "will out-perform any other car on the market" is exaggerated unless backed by proof which is based on thorough scientific tests made by competent judges.

Pseudo-scientific research is a particularly obnoxious form of untruthful advertising, playing as it does on the average American's respect for learning. There are two types of research. One is sponsored by the advertiser who goes to the scientist and says: "Test my product in comparison with every other product. Give me the results of your test with no regard to my own feelings. I want the truth." The second type is sponsored by the advertiser who tells the scientist, "Make





an investigation proving my product is the best on the market."<sup>1</sup> Science is capable of many varieties of perversion. An advertiser may prove beyond a shadow of doubt that his product has more specific gravity than any other product--and yet specific gravity may have nothing to do with the value of the product to the consumer.<sup>2</sup> It sounds well when printed nevertheless.

Claims are made for tooth preparations, for instance, which give them antiseptic qualities which they do not possess, yet "scientific" tests have been made. That acid mouth can be cured, scale removed and pyorrhea prevented are popular ones. Iodent Numbers 1, 2, and 3 staged a campaign to "whiten" teeth, which was highly successful as few people either do not know or do not stop to realize that if nature gives you yellow teeth, nothing but a set of false ones will whiten them.<sup>3</sup> A Government chemist recently took an extracted tooth and put it in one greatly advertised tartar remover. The result was rather terrifying--by morning the tooth had decomposed to the consistency of chewing gum.<sup>4</sup>

Plagiarism of ideas based on another's successful scientific advertising campaign has resulted in a whole group of imaginary diseases which specified advertised products will cure. Most of this Scare copy was parented

1--p. 80, Larrabee. Printers' Ink, April 4, 1929

2--p. 84, Ibid

3--p. 110, Chase. Ethics Advertising to the Consumer

4--Ibid

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Illustration of ideas based on another's suggestion.  
Scientific advertising campaign has resulted in a whole  
group of imaginary diseases which specific advertised  
products will cure. Most of this type copy was prepared

1--p. 60, Harbison, "Whitening" Int., April 4, 1923  
2--p. 84, Ibid  
3--p. 110, Chase, "White Advertising to the Consumer"  
4--1918



by Listerine's Halitosis campaign.<sup>1</sup>

Recent biological research has brought forth definitions and values of certain vitamins. Advertisers of food products were quick to turn these findings and the interest thus aroused to their own advantage. It is true certain foods contain vitamins in larger quantities than others. Advertising arguments are justified on that score. The harm lies in the fact that many food advertisers claim that their particular food contains this or that vital or body-building element and incorporate in their advertisements, exaggerated statements about its abundance and value. The particular food championed, for instance, may contain a large amount of vitamins but it may contain absolutely no more than many other kinds of food. Yet such advertising implies that the particular food in question contains far more vitamins and is therefore far superior to other foods.<sup>2</sup> The consumer begins to feel that he does his family and himself an injustice if he does not include that particular item in their daily diet.

An interesting example of this type of abuse, and the way to combat it, is told by Stuart Chase, who has exposed many advertising frauds. The American Magazine in October, 1929, presented an advertisement: "Health Value Discovered in Japan Tea. Precious Food Element Has

1--Listerine and Other Mouthwashes: editorial, April 18, 1931 Journal American Medical Association

2--p. 457, Principles of Advertising--Starch





Been Found. Vitamin C." It continued on to instruct a gullible public that lack of Vitamin C in one's diet would cause loss of energy, a muddy complexion, and even rheumatism. The advertisement was brought to the attention of the American Dietetic Association and a statement issued May 28, 1929, after an investigation proved that Vitamin C was not even present in Japan Tea.<sup>1</sup> Moreover, the general public does not need to turn to tea-drinking for this valued vitamin, as it is contained in all citrous fruits. The Japan tea advertisement was therefore doubly unethical, its base was a pseudo-scientific claim which was proven to be fraudulent.

Misleading Illustrations are another foe to general advertising good will. Today even the camera is a fairly good liar and can compete with the artists in making a cheap automobile look like a Rolls-Royce, or a home-made cake more enticing than a chef's masterpiece. When the buyer sees the cheap car and unconsciously compares it with the illustration, or when the woman looks at her cake and remembers the picture, the credibility of advertising has been dealt another blow. These examples may seem far-fetched, yet almost everyone has been attracted at some time or other by a stunning illustration and even while admiring it, made the comment "I don't suppose it would really look like that" or "Paper never refuses ink!"

Misleading names and labels fall into the category





of "tainted advertising." Trade-names such as Parisian Ivory for celluloid products, Boston leather for imitation leather and Empire Brussels for a most inferior carpeting, bearing no relation to the world famous Brussels, are examples of this practice.<sup>1</sup> Many fabrics are given names which imply they are all silk, or partially silk, when they are really fibrous or composition materials, and all wool when they are partly cotton. Cashmere cannot be so called unless it is all wool according to a ruling of the Federal Trade Commission, yet this ruling is abused frequently.

Labels, especially those which have become trade-marks, are frequently imitated in an unscrupulous manner. The latest and most affronting incident was the sale in Five and Ten cent stores of electric light bulbs which had been imported from Japan and were manufactured with a Trade-Mark symbol similar to that used by the General Electric Company. Other examples of this fraudulent type of "bait" advertising are the use of foreign labels on domestic manufactured products, especially fashions, and the practice of including in sales a few pieces of a well-known brand and then selling many others to customers who have the impression that the merchandise is all of the same quality.

Testimonials of a voluntary nature are one of the strongest forms of advertising. An illegitimate testimonial--the paid for, solicited, and many times bribed





testimonial is most unethical. It is characterized by Franklin P. Adams of the New York World as "downright crooked, not only in the person who indorses this or that without knowing anything about it, and signs her name as a user of something she doesn't use, never has used, and never will use; but also in the concern bribing the indorser." It is clearly seen that the tainted testimonial is especially vicious in two phases. It is often wholly misrepresentative, being an indorsement of a product by a person who is not a habitual user of that product and who does not believe in its value, but gives an indorsement because of money and publicity to be obtained. Secondly, because of its frequent absurdity, it attacks credibility which is the foundation of advertising.

Taking advantage of the public interest in the heroic rescue of the Florida's crew by the America, in 1929, directed by Captain Fried and First Officer Manning. Lucky Strike published in the same newspapers writing thrilling news stories of the rescue, half-page advertisements featuring testimonials signed by the officers. Both gave credit to Lucky Strike cigarettes for making the rescue possible. Great controversy was aroused by this incident, both within advertising circles and in lay discussions. Captain Fried, maintained he was a habitual smoker of Lucky Strikes, therefore no lie existed, nevertheless, it was alleged he did not write the testimonial. However, even if the testimonial was





genuine, the bad taste shown annoyed people not even slightly sensitive heretofore, and resulted in the United States Shipping Board and the United States Government both forbidding their officers and employees to sign<sup>1</sup> testimonials for advertisements.

In contrast to this incident we have one which illustrates the ethical use of a testimonial. One of the world's greatest pianists is an inventor. He has patented and sold a great number of devices used today on automobiles. Experimenting in a mechanical laboratory is only a hobby, but a very profitable one for him. A certain radio manufacturer sent a receiving set to this pianist after he had played for one of the manufacturer's broadcasting concerts. The musician later sent a warm letter of appreciation and indorsement to the manufacturer. It was entirely unsolicited and expressed the pianist's views on electro-mechanism as well as music.<sup>2</sup> He appreciated the value of the radio and wrote to express his enthusiasm. The use of a testimonial such as this impresses the consumer in two ways, he will be interested in the product and he will have faith in all advertising.

These two incidents illustrate the ethical and unethical use of testimonials. The profits reaped by the former are boundless and the harm done by the latter are just as limitless. There have been many excellent

1--p. 75, Agency Practice--Calkins, Vawter Foundation  
 2---Printers' Ink Monthly--Are People Losing Faith in  
October, 1931 Advt. Nichols





testimonials secured by companies conducting contests of various kinds, such as that held by Colonel Proctor of Ivory fame a short while ago. Prizes were offered for the best "uses" of Ivory soap by householders and others. The results were amazing. Many ingenious uses were brought to light and enough testimonials and ideas secured to plan months of advertising. The sincere advertiser today, however, hesitates to use material of this type, as testimonials of all kinds have fallen into disrepute by the practices of a few. Endorsements for cash of any product at all--be it beauty preparations, cigarettes or cars--are being made by people famous for wealth, family background, baseball prowess and even Channel swimming. Many times their only connection with the product is a mild curiosity in the new advertising matter in which they are featured, and a distinct satisfaction in the check they receive. Testimonials of this type appear to outnumber at present the voluntary enthusiastic endorsements of happy customers. Indeed, so common has the testimonial racket become, that an enterprising "testimonial" agent toured the advertising agencies in the fall of 1932 with a list of about five thousand people, all of whom would be financially eager<sup>1</sup> to permit the use of their names on any product.

At the present time stars of the talking screen are not recompensed for their so-called endorsements. The publicity thus secured is considered sufficient remuneration.

1--Information provided by Batten, Barton Durstine & Osborne Co.





The advertising agency is required to mention the name of the star's next picture if it is possible to include this bit of information in the copy. Film publicity agents do the contacting with the advertising firms, the individuals themselves being unaware of just how they are supposed to be washing their faces or painting their nails until they are so informed by bill-boards and magazines.

There are very few products using this type of advertising which could not be sold as well, or undoubtedly better, by a saner campaign. Testimonials of the nature described above simply exploit the article, arousing public interest, to be sure, but do not build a permanent customer's good-will. A sincere, believable type of advertising would do that. Ivory soap has profited by the advertising mistakes of many of her newer competitors. While actresses and society people have claimed their devastating beauty is due to constant use of Lux Toilet Soap, Palmolive, or other brands claiming to beautify by rejuvenating the skin itself, Ivory has plodded along, maintaining a proud sales figure in spite of this high pressure competition by simply telling its customers just what a pure soap used faithfully can do. With advertising of this nature and by marketing its products attractively, Procter & Gamble have built a good-will of unestimable value and contributed a great deal toward stemming a wave of public disapproval and scorn of





advertising in general.

The public does not have to read advertising. Consumer attention is held only by an interest in the product, prompted by the average individual's faith in the printed word. If this faith is abused, the advertiser has done himself untold harm. No longer will his elaborate and expensive copy impress the consumer. It may interest him as sensational new stories will, but without faith and confidence the effect will be just as permanent.

The question of testimonials has been bitterly fought by advertising associations. All agreed that this type of approval has been abused. Standards have been attempted but are very difficult to determine. In the dispute regarding his testimonial mentioned previously, Captain Fried claimed that he really was a habitual smoker of Lucky Strikes, so that the much discussed advertisement was truthful in part. The extremely unethical part was the statement that Lucky Strikes were responsible for his successful rescue. In this case the bad taste is self-evident, in others it is not so evident and is difficult to prove even when it is obvious to many. But are these "many" representative of the advertising public? Agents themselves cannot agree on "borderline" cases, which makes it practically impossible to decide who shall be the arbiter if a code were to be established. Veracity is easy to check but bad taste is so dependent





on personal interpretation of numerous social factors that it defies regulation. Reform in this instance therefore, will have to come from within the industry itself. Internal reform will be stimulated by consumer rebuke. It is only a matter of time before an affronted public will complain of such advertising. Boycotts will start and harassed stockholders will protest that such advertising does not bring customers, accomplishes nothing more than a great increase in expenses and a corresponding decrease in dividends. Pressure of this type will accomplish what no amount of arbitration could do.

#### Unfair Competition

Ethics of advertising today is largely based on ethics of competition. Business in the United States is founded on the "competitive system" and considerable legislation has been passed to prevent monopolies and maintain competition. We try to keep the "little" man in business by refusing to let his larger competitor swamp him. In spite of legislation, business competition is a contest frequently as bitter and ruthless as war<sup>1</sup> itself. Some succeed, securing large wealth and power. These are usually the financial leaders of their time. Others fail completely and become social burdens. Between these two are many groups of varying economic rank. The greater number support themselves, have sufficient income to afford luxuries and are constantly endeavoring to





increase their earnings in order to increase their purchasing power.

The fight to secure that new purchasing power is the phase of business competition in which the advertiser has placed himself. Today this struggle is more obvious than the struggle between men for positions and promotion. The manufacturer of a product wants to sell that product to everyone whether "everyone" is conscious of wanting it or not. The manufacturer does not supply the available market, he creates the market and then provides the product. To this end, he competes not only with other advertisers in his own line but frequently with other industries. The silk and cotton manufacturers are striving for the same market as are the lumber, brick and cement people, the busses and the railroads, California and Florida, even candy and cigarettes. We even find strong competition between whole groups of industries, between luxuries and necessities. An example of the latter being motor cars versus housing space. In their excellent study of American life, the Lynds found that in "Middle-town" people were keeping their housing space cramped denying themselves needed clothing, even cutting down on food, in order to buy gas for the car. Out of twenty-six families without bathroom facilities studied, twenty-one<sup>1</sup> had automobiles.





Every advertiser wants a part of this expanding market, the market advertising has created. The public has become advertising conscious and sales depend upon stimulation of that consciousness. The advertiser is fairly sure that his copy will attract some attention and if he makes it blatant enough, it will have attracted a great deal of attention. The result, the advertising agent hopes, will send his client's sales curve on a joyous upward climb.

Increased intense competition in advertising has been brought on by hard times.<sup>1</sup> The business tension is extremely strained and the manufacturer of nationally marketed goods is getting nervous. He needs to hold his market, and even increase it, to keep up production at a normal rate. To do this he is relying on advertising, he has put upon advertising a strain greater than it can bear. He has pushed his advertising in a way he would not dream of pushing his salesmen.<sup>2</sup> Prevarication, knocking the other fellow, vulgarity--anything at all--are all approved provided they will sell the goods. Harried competition has brought on a wave of unethical advertising that leading advertisers are beginning to worry about.<sup>3</sup>

The silk industry is an example of a whole industry blinking its eyes at falsehoods and apparently worrying

1--Printers' Ink--Advertising & Hard Times--Batten, H. A.

2--Ibid

3--Ibid





not at all. Super-advertising campaigns changed the styles of the American public so definitely that a new standard of living was adopted with silk instead of cotton as the leading fabric. The silk market expanded and grew to such proportions that a tremendous amount of raw silk had to be imported. This was most expensive. Uncertain exchange rates and tariffs took a considerable portion of the profits and manufacturers looked for a method to remedy this situation. Since it is impossible to produce raw silk profitably in this country, artificial silks were perfected. Cellulose, acetate products, and low grade silks weighted with tin are sold to an unsuspecting public as silk--many times designated as pure silks. "Silk" stockings, a national institution today, particularly are misrepresented to us. The American Home Economics Association has found in research tests that tin and lead weighting constitute 50% to 11.9% of the actual silk content of several brands of "silk" stockings.<sup>1</sup> They have to be sold quickly or they deteriorate, which accounts for the frequency of "clearance" sales of stockings in department stores. Three or four washings are apt to finish these weighted stockings. Perspiration rots them, and in the case of lead weighting, the wearer is even in danger of poisoning.<sup>2</sup>

These artificial silk products are manufactured with greater ease and less cost than are pure silk fabrics.

1--Better Business Bureau Pamphlet--"Facts--Then Action"

2--Better Business Bureau Pamphlet--"Facts--Then Action"





Many times rayon and acetate materials are even more attractive. Certain types are not surpassed in wearing qualities. These are selling points in themselves and no one disputes these advantages, but the market has been built up as a silk market and the public has a senseless snobbery in regard to artificial silk products. Therefore prospective purchasers must not know just what they are buying. Depression days are not propitious ones to re-educate a national populace to new materials. So the industry bands together, sticks to its "silk" advertising and tries to fool the public. A notable exception is found in the policy of the DuPont Company. They are in a new market and refuse to let tradition hamper them. They advertise their products for just what they are, give truthful statements as to their durability and washing qualities, and reap their reward in an increasing public interest and confidence in fibrous manufactured materials.<sup>1</sup>

Competitive advertising of an unethical nature between unlike industries has been the source of much controversy with some of our larger cigarette companies. Lucky Strike staged a national campaign in 1932 which took advantage of the current fad for very slim, boyish figures. Billboards and magazines pictured attractive girls with the caption "Reach for a Lucky instead of a Sweet." Candy and sugar associations were not long in protesting and a





bitter contest was staged. The result was the forced omission of the phrase "instead of a Sweet." The newer Lucky Strike advertisements were released minus this breach of business etiquette. However, the suit was so long impending and the restraint became effective at such a late date, that the slogan had already been "put across"<sup>1</sup> and the omission in the later releases was hardly noticed.

Another instance of this type of unethical advertising is found in a recent program of the Camel Cigarette Company --a campaign sponsored in the early winter of 1933. To attract reader interest, and on the slight tie-up of "steady nerves" for Camel smokers, each new weekly advertisement featured a magicians' trick with a full expose of the mechanics of the deception. The Magicians' Union complained on the grounds that the expose was ruining their business. The Union brought suit against the R. J. Reynolds Company, but failed to get a judgement.<sup>2</sup> No doubt lack of funds prevented their pressing their cause with sufficient vigor, and the millions behind the Reynolds Company made them a bad foe from the beginning. However, if legislation cannot control unethical practices, business will take care of the situation itself. A whispering campaign was started--rumor having it that Camels were made under disgusting conditions, were not germ proof in spite of cellophane, and so forth. The whispering succeeded where lawsuits did not, and the

1--p. 75, Agency Practice--Calkins, Vawter Foundation

2--Information supplied by Batten, Barton, Durstine & Osborne Co.





Magic Tricks campaign was cancelled before its run was  
 1\*  
 over.

These two examples show how unethical the cigarette advertising has been in the last few years. The industry itself is highly competitive and one would not be surprised to find attacks on other brands within the industry, but to go beyond that barrier is certainly an emphatically questionable practice. In the Lucky Strike campaign, the appeal was not only an uncalled for attack on another industry, but there was no ground whatever for believing that smoking in itself kept the figure thin. Candy manufacturers and agents boycotted Lucky Strikes--Schrafft restaurants refused to sell them for a long time --and lawsuits brought by the candy industry associations were finally decided in their favor. The victory was not a satisfying one, however, as a legal decision does not make the public forget an advertising slogan.

The blot on advertising therefore, still remains. The Camel Company offense, while it has not been given the publicity of the former incident, is none the less treacherous. It deprived a certain type of expert of the secret lore which was his stock in trade. The campaign built good will for Camel cigarettes without question. The copy was extremely interesting and much favorable comment rebounded from the public, who little realized the harm that lay behind it. It was successful and R. J. Reynolds





Company was loath to abandon it, but that course was forced upon them. The manner in which successful pressure was brought to bear is a sad commentary on a state of affairs where the law cannot recognize injustice and unethical methods are used to curb unethical business practices.

Competition within industries is more frequent. Errant capital of the last decade, looking for a place to settle, is responsible for much duplication of products, with intense competition for the same market a natural result. Advertising is the means of securing that market and we find much flagrantly unfair competitive advertising on every side today. The same company responsible for the "Reach for a Lucky" advertising sponsored a very offensive campaign for promoting a cigar which has become known as the "spit" campaign. The American Cigar Company stated that their cigars were made by machinery and therefore were more satisfactory than those made by hand in which the wrapper was moistened by the operator's tongue to make it stick, the implication being that this was the common practice.

Of this advertising the Better Business Bureau says, "The American Cigar Company through its Cremo advertising campaign made an unfair attack upon an industry, which, if believed by the public, will not only unjustly injure the principals and stockholders of the cigar industry





but will throw thousands of cigar makers out of employment."<sup>1</sup>

The appropriation for advertising for this tobacco company is said to be \$19,000,000.<sup>2</sup> Considering the furore of protests from all fair-minded business associations this advertising provoked, one might gather that the American Cigar Company spends money only to attract attention--not caring what type of "attention" it is. If increased sales is the only measure, no doubt this company has been successful, as industry attempts to boycott their products have had very little effect. An overwhelming number of our populace evidently prefer to smoke "Luckies" in spite of ethics.

#### Advertising with Health as a Basis

The life insurance companies have done a great deal to build up an intelligent view-point toward preventive medicine.<sup>3</sup> Physical examinations of policy seekers have resulted in the timely discovery of many illnesses which otherwise might have proved fatal. Young people wishing policies also have been more careful to follow a saner living and to keep in "condition." Health is one fetish of which the American people should be justly proud. Our mortality rate is decreasing and the age level is increasing. Infant deaths are no longer considered usual, although the rate is still high. Prenatal care is now as common in the poorer classes as it was formerly among the more fortunate. Even the lowliest are "health

1--p. 76, Ethics of Advertising--Vawter Foundation

2--p. 132, Ibid

3---Appendix, illustration-C





conscious." Public clinics are crowded daily with young and old, seeking treatments for complaints which in former days would have gone unnoticed.

Life insurance standards are high and educational advertising is used to keep them so. The larger companies base their advertising on the services which they render. The benefits of insurance are stressed--the creation of an estate to take care of dependents, a savings plan to<sup>1</sup> afford support when the non-productive years arrive. In addition, insurance companies provide a service to the general public in their brief discourses on certain diseases. One advertisement discusses the proper care of children suffering from rheumatic fever, stressing the necessity of a competent physician and warning of after effects. Physical exertion too soon is hard on overstrained little hearts, a fact which many people do not realize and which causes many premature deaths. This type of advertising is interesting, makes people stop and think, and has great social value. It circulates information to many sincere and earnest parents and others interested in health, who would have no other means of learning of preventive medicine except by hearsay or by experience, many times a cruel teacher.

A few of the more reliable drug companies, Parke, Davis Company, for example, have also built good will<sup>2</sup> with this type of advertising. They have pleaded the

1--Appendix, illustration-D

2--Appendix, illustration-E





case of the family doctor, who has been neglected in this age of "specialist" treatment or, if that is beyond the purse, home treatments based on convincing advertising of less scrupulous drug firms. Proper diagnosis and then the proper treatment is the attitude such advertising tries to establish. "One man's medicine in another man's poison" seems to be a forgotten adage.

In contrast to this socially advantageous type of medical advertising, we have another type which is decidedly dangerous--the patent medicine appeal. Although public opinion and the Federal Trade Commission have been fairly successful in driving the old rascally medicine man from our midst, his descendents are still with us, better dressed perhaps and not quite as dangerous, but still fooling the public. The patent-medicine industry in this country is valued at \$350,000,000<sup>1</sup>, and, with the exception of a few standard medicines, constitutes one of the dangerous influences of our present day civilization. Highly advertised, many products have become synonomous with certain diseases, and a lay diagnosis usually means a prompt reliance on all their claims for renewed vigor and health, to be secured by constant use. Fortunately these drugs in themselves are only injurious in that their benefits are in no way commensurate with their cost, and many times actual necessities are not bought as the limited budget has included an important





sounding patent medicine instead. Graver dangers lie in the proven fact that some of these drugs actually have contained poison; and also because faith and hope, stimulated by cunning advertising, in such medicines, have kept ignorant and poor people from seeking proper medical advice. Cancer and tuberculosis cannot be cured by nostrums, and delay in treatment is a life or death matter. Patent medicines are not inexpensive and many times a similar medicine put up on a doctor's prescription is lower in cost. Of course the patient has the doctor's fee in addition, but one bottle of medicine especially prescribed for a certain individual will undoubtedly do him more good than a dozen bottles of a medicine prescribed for the community at large.

Punishment for such advertising offences should fit the crime. It should be severe and certain, so much so that a fear for their lives would develop among the companies promoting such products. At the present time, there are no penalties at all even when a death has been proven to be the result of a certain patent-medicine.<sup>1</sup> Under the Federal Food and Drugs Act, the courts may impose a fine if the medicine has been mislabelled, i.e. does not contain an accurate analysis of its contents, but the Act has little control over false statements or misleading implications in advertising matter. As very few people stop to examine the label--the contents usually being printed in very small lettering, it is on

1--p. 117--Ibid





the advertising the brunt of investigation and punishment should fall. The American Medical Association has done much to expose dangerous prepared medical products but the knowledge of its findings is frequently confined to a minority of the populace. No widespread publicity is given any such investigation and prosecutions are expensive. The courts are encouraged to make use of the findings of this great association, but they appear to be slow in recognizing their duties.

Most of the poisons in patent medicines act very slowly and are not always poisonous to all people. Because of this factor many consumers do not connect subsequent illnesses with the medicines. Occasionally, however, they do their damage quickly enough to be discovered. "FC-100," a nostrum sold as a cure for colds by the Food Chemistry Corporation of Pittsburgh, is an example. This Company circularized bank presidents, pointing out to them--that several billions of dollars is the annual loss to industry through the insidious disease known as the Common Cold....These vital statistics become immensely important when we say....we can prevent most of this loss....It will cost you, or your employees ....about thirty-five cents to cure a cold. The action is within a few hours....not days or weeks.

The president of the American State Bank and Trust Company of Pittsburgh was properly impressed by this





business-like logic. Some F.C.-100 was purchased; within a few hours exactly as promised, there was action, though different from that expected. Let the Pittsburgh Press of February 22, 1930, tell the Story.

#### BANKERS SUFFER FROM POISONING

Four Stricken After Taking Cold Remedy: Two in  
Hospital

Two officers and two employees of the American State Bank and Trust Company in Grant Street today are recovering from poisoning after swallowing a remedy for a cold yesterday. Two of the victims are in the Mercy Hospital. The others are recovering in their homes....All four of the victims are reported to have suffered abdominal spasms after taking the remedy.

In accordance with good newspaper ethics, the Pittsburgh Press did not mention the name of the guilty nostrum. The Bureau of Investigation of the American Medical Association, however, corresponded with the physician who attended the bank officers and employees and learned the whole story. According to the physician--

"Each patient took the contents of only one tube, in a glassful of water, and shortly after became deathly sick. The symptoms were those of acute gastro-enteric character--great depression, sweating, nausea, vomiting, diarrhea,





cramps, small pulse, pinched face, etc.

lasting for hours, which suggested antimonial<sup>1</sup> or arsenical poisoning."

The physician's diagnosis was correct; when a tube of F.C.-100 was analyzed, there was found, among other things, the equivalent of approximately one-tenth of a grain of arsenious oxide, three times the average dose prescribed in the United States Pharmacopoeia for the medical use of this poison. The poisons are discovered, but the poisoners, alas, go marching on, without so much as a sharp word from any public authority."

Messrs. Kallet and Schlink leave us to believe this was the final denouement of this investigation. If that is so, then the American people should certainly rise to protect their very lives.

Most patent medicines do not kill people. That is certainly not what their sponsors intend to happen, but they are extremely callous of the results of their hastily formulated preparations. Death directly attributed to these nostrums are far outnumbered by those which result indirectly. This is a very serious situation which seems to be totally disregarded. Consumers whose faith and credulity in advertising cause them to trustfully buy a bottle of "Dr. Myers' Pneumonia Compound," or a package of "Mygrone," put out by the reputable firm of John Wyeth and Brother, Incorporated, yet recommended





for the treatment of influenza and tuberculosis, are seriously impeding their chances for recovery, as it is only the early stages of these diseases which are curable and delay in calling a physician may result in a fatality.

Thus advertising takes its toll in human life. Labelling may be accurate enough but false claims have done the damage, and these false claims do not come under the Federal Food and Drug Act. True the Administration of this Act can request the Department of Justice to bring action against the sellers of these medicines but this is done most infrequently. The great associations of advertisers and drug manufacturers are numerous and wealthy, a combination which can successfully intimidate, or break through, many a restrictive barrier.

Scare Copy

The Listerine "Halitosis" campaign was so successful in building up sales that a host of imaginary diseases soon burst forth to impress themselves on the public consciousness. Lifebuoy advertising has convinced many that ordinary bathing does not remove body odors. "B.O." needs a stronger soap. That "clean" smell following a lifebuoy bath is simply carbolic acid, which is contained in the Lifebuoy formula. Ivory soap, in its advertising, never mentions this new disease, simply advising the public to bathe frequently with a mild soap. Its "Chase the Blues Away" campaign stresses the relaxation of a





warm bath, and takes the fact that cleanliness will result rather for granted.

"Intestinal Toxicity," another bugaboo to be wary of, has been emblazoned by Eno Fruit Salts, Sal Hepatica, and other similar preparations. There is some truth in their claims, but frequent use of such products is injurious to the average individual's health. A second criticism of such advertising is that constant reading of such copy might easily cause slightly nervous people to imagine that they are "sluggish" and have lost "their pep," unduly alarming them about their health in general.

With the growing popularity of bakers' bread, the retail yeast market decreased at a disturbing rate. A clever advertising agent evolved a plan, destined to slow up the declining sales curve of our greatest yeast company. Thus, by a pseudo-scientific campaign, staged with medical opinions from foreign countries and many testimonials, Fleishman's successfully stopped loss of sales by converting their product into a medicine. According to the advertising of this company, yeast will cure all sorts of intestinal disturbances, facial blemishes and stubborn cases of constipation. Doctors disagree on the medicinal values of yeast; many contend it is excellent to "raise bread" but otherwise its value is negligible.<sup>1</sup> Yeast is a good cure for pellagra, but relatively few people are troubled with this complaint.





The mouth washes seem to be particularly addicted to this type of unethical sales promotion. Semafor, a pink-colored mouth wash advertises: "Morning mouth. Everybody has it." It so happens that this particular wash, containing phenolphthalein, turns colorless in an acid solution. The directions are to rinse the mouth until the liquid stays pink. The healthiest mouth in the world always has a touch of acid; in fact it is physiologically necessary. So the earnest and credulous customer will go on using bottle after bottle of this precious fluid trying to eliminate acid from an already healthy mouth. As an accelerator of turnover, Semafor has found the perfect formula.

VIOLATIONS OF DECENCY IN ADVERTISING

Scare copy also breaks the law of good taste--a sort of "common" law, very hard to define yet easy to recognize. This phase of unethical advertising is without doubt the hardest to turn under a legislative finger, yet it is becoming increasingly obnoxious. Good taste is synonymous with breeding and background and, considering the great differences in this respect found in all parts of our country, it is very difficult to make hard and fast rules defining just what constitutes good taste.

There are unfortunately in present day advertising some very obvious breaches that regardless of background, all will instinctively recognize--first there is that advertising which is directly aimed at women--the marketing





of products designed for feminine use alone. This type of advertising should be confined to women's magazines or displays in the women's section of department stores. Adequate publicity could be secured in this way. Newspapers, car placards and even bill-boards are not the mediums by which to sell such products. Such campaigns are an affront to decency. The entire population is subjected to constant sight of appeals which do not concern the majority by any means. The right to a certain amount of privacy which civilized people accord one another is being flouted by selfish manufacturers wishing to create an extensive demand for their products.

A second example of extremely poor taste is one which is causing social and religious organizations grave concern. In spite of federal and state laws, the production and marketing of birth control contrivances is carried on in an open manner. One authority states that there are three hundred manufacturers, many doing a nation<sup>1</sup> wide business. Advertising is increasing and is found in the most varied type of publications. The only sign of deference to the laws is that this advertising does not speak of birth control, or contraception, as such, but uses delicate terms in such a way that there is no mistaking the implication. That many people find this increasing publicity distasteful is evident by the vigor of the protests at the recent hearing at Washington. Aside from one's personal opinion as to the virtues or

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A second example of extremely poor taste is one  
which is causing social and religious organizations grave  
concern. In spite of federal and state laws, the pro-  
duction and marketing of birth control contrivances is  
carried on in an open manner. One authority states that  
there are three hundred manufacturers, many doing a nation-  
wide business. Advertising is increasing and is found  
in the most varied type of publications. The only sign  
of deference to the law is that this advertising does  
not speak of birth control, or contraception, as such,  
but uses delicate terms in such a way that there is no  
mistaking the implication. That many people find this  
increasing publicity distasteful is evident by the vigor  
of the protests at the recent hearing at Washington.  
Aside from one's personal opinion as to the virtues or



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dangers of birth control, while there is a law prohibiting the dissemination of information regarding contraceptives, it should be strictly enforced and the recent wave of advertising should be immediately halted.

In 1930, a legal decision was passed that sending information through the mails would not be a violation of the federal laws unless this material was to be used illegally. This decision was responsible for a mail campaign by contraceptive manufacturers. Fearful of advertising up to this time, they now sent circulars to doctors, druggists, and the general public. Soon advertising matter appeared in magazines, meagerly at first, but at present very generally. By untiring effort, the manufactures have made the phrase "feminine hygiene" synonymous in the public mind with "contraception." The Government had no objection to the term "feminine hygiene," with the result that unscrupulous advertisers have made an innocuous phrase serve their purpose. The situation today is truly ridiculous; a manufacturer may advertise any and every kind of a contraceptive product but may not use the terms "birth control" or "contraceptive." He is not disturbed however, as he has made "feminine hygiene" and the newer term "marriage hygiene" perfectly clear and in case any doubt should exist the terms "protection" and "security" have been enlisted.

Thus the unethical situation exists not only in the fact that there is advertising but also in the type of





advertising used. I have previously referred to "scare copy" and we find an excellent example of it in some of this advertising. The appeal has been in many instances direct play upon the fears and ignorance of the public. "An age old worry--a helpless gamble with health--These are the heritage of all women." In case there is an innocent reader who does not know the meaning of all this, he is enlightened by "the possibility that the very next leaf of the calendar may find her facing a physical crisis which she is ill prepared to meet." Besides frightening the general public, and causing the very natural and necessary act of reproduction to be viewed with alarm, there is the added danger of the technique in the use of these products. At best it is a delicate matter, and when little is known of the product except the highly exaggerated claims of a copy writer, it becomes decidedly dangerous. Under the present laws a woman is not able to obtain medical advice from her doctor in regard to the relative merits of these products. The best she can do is pick the one whose advertising appeals to her and by trial and error find the one which suits her best--not the wisest method of dealing with a medical product.

There has been so much controversy between ethical manufacturers and unethical manufacturers that the situation is becoming acute. One first-class firm selling to hospitals, clinics, and physicians wanted to run an advertisement in a women's magazine urging women to





consult their doctors in regard to birth control, not to risk injuring their health by a blind adoption of an advertised product. No magazine would accept this contract, although several of those approached were running advertisements of "feminine hygiene" products. The difficulty was that the reputable manufacturer wanted to use the words "birth control," he wanted to advise a proper procedure and did not want to hedge about it. Nevertheless, in spite of ethics, his advertisement might bring prosecution while a "feminine hygiene" one would  
 1  
 not.

Such a state of affairs has led to the formation of a National Committee on Federal Legislation for Birth Control. This committee hopes to take the control of the industry, and the privilege of giving information relative to the use of products, out of the hands of the advertisers whose ethics are questionable, and put it into the control of the doctors of the country whose ethics as a body are beyond dispute. To date this committee has met with little success, however. Legislators should be forced to remember, nevertheless, that laws prohibiting scientific information are of doubtful ethical quality and perhaps violate the guarantee of a "free press."

Situations such as those described are really an insult to the decency of the people of the United States. We have always held our heads high among civilized nations





and claimed our morals to be superior to most. However, unless effective protest is made within a very short time, we will have several black marks against our sense of good taste and moral righteousness. The situation in regard to the spread of birth control information will have to be regulated by law but other present day breaches of decency can be very easily controlled by public opinion. A strong protest will frequently result in a cessation of an offensive advertisement. Such was the case of a few years ago when the Bull Durham Tobacco Company sponsored a billboard poster which was decidedly in very bad taste, humorous to be sure, but vulgar. A storm of protests ensued and the posters were removed.<sup>1</sup> Isolated protests do not function greatly unless they come in volumes. Clubs, organizations and churches should co-operate in gathering forces for protest. Indignation campaigns have been waged in the past, some regulations have been made but none are adequate to cope with the situation as it stands today. Consumer co-operation to fight indecency, not to lazily close its eyes, is what is needed to make advertisers realize that a saner and more savory type of advertising might prove to be just as satisfactory.

1--Information provided by Batten, Barton, Durstine & Co.





#### IV

#### METHODS OF COMBATING UNETHICAL ADVERTISING

The deplorable condition into which advertising has fallen is brightened somewhat by the efforts made to correct the abuses which have caused so much discussion. In the last fifteen years there have been many constructive movements to better advertising by eliminating its most objectionable forms. There are still far too many abuses, but if the advertising of today were compared with that of twenty years ago, advertising critics would, no doubt, work with increased effort for a still greater improvement.

The various movements which have been made to improve advertising practices represent one of the most important developments in the entire history of the industry. These forces working for ethical progress have been divided into the following groups:

- a. Better Business Methods and Standards
- b. Publishers and Mediums
- c. Legal Methods: The Printers' Ink Statute
- d. The National Vigilance Committee<sup>1</sup>
- e. The Better Business Commission.

There have been other expressions of organized effort to effect a betterment of conditions, but these five are by far the most important.

#### Better Business Methods and Standards

The general improvement in business standards which





has taken place in the past two decades has furnished a background for a parallel development in the field of advertising. Business methods find their reflection in advertising as it is a part of business itself. Advertising is but a printed expression of the business man's code of ethics. It is open for public inspection and is seen more than any other phase of business. Because of this fact it has come in for a goodly amount of criticism. The public is aware of its objectionable and unethical methods and is ready at all times to voice a protest. Other phases of business, not so open to the public view, may be conducted in a questionable manner but they escape criticism. Thus although present day advertising has been bitterly denounced, there is some justification in feeling that it is on a par and in many cases in advance of other types of business transactions. However, business in general has established a code of ethics in the last decades and business "secrets"--underhand practices, are not as multiple as they were formerly.

The old days were characterized by the slogan, "Let the Buyer Beware." Today "The customer is always right," attributed to Marshall Field, or the phrase "Satisfaction or your money back," are slogans which express the policy of the better business houses. "Service" brings new customers and retains the old ones. It is the basic principle by which business today hopes to survive. The





various gasoline companies are examples of the modern policy of service "plus." Each company tries to out-do the other until the situation has become amusing enough to attract the attention of the cartoonist. Nevertheless, the service has brought business. People have favorites in gasoline stations as well as in dress shops and, of two similarly located stations, the station in which the service excels will undoubtedly get the most customers. This industry today belies all the old stories of the tricks played on travellers in stables and garages. Indeed there has been a right about face, as modern tourists find friendly counsel in all company-owned gasoline stations. The trust and confidence of the general public in all information secured at service stations is evidence of the success of this newer idea in business.

This policy of sincere co-operation, service and honesty in business transactions is practiced in all the reputable merchandising firms of the present day. It is an admirable state of affairs and a decidedly different one from that of twenty-five years ago. James Cash Penny, in an interesting lecture on "Business Ethics," printed in "The Fundamentals of Business Ethics," by Dean Lord, gives some startling incidents illustrating methods used a quarter of a century ago. Coffee, sold from a tin marked "Mocha & Java," brought double the price of coffee already packaged, although it was all the same coffee. Customers preferred to wait for a certain clerk,





knowing that by doing so they would secure secret discounts. Clerks were instructed to quote high prices in order to allow a "discount" and still make a good profit. These incidents illustrate the ethics of the period and were common in all localities and in all types of business houses.

Merchandising standards today are such that no store which values its reputation would think of having two prices. Goods are still marked with a secret code, but more frequently they are marked in plain figures and are sold at one price. Generally speaking, this fixed price represents only a reasonable percentage of profit. The transformation of these twenty-five years have brought with them a higher-type merchant, with a growing ethical sense of fair play towards his customer. He feels a responsibility toward him not only because each satisfied customer might become a walking advertisement, but because he has made a friend of him.

Notable changes in business ethics are not found only in selling, but have also been developed in factories. Instead of sweat-shop goods, produced under unsatisfactory conditions by underpaid men and women, and even children, goods are made under the closest supervision and inspection. Laws regulating working conditions, especially in factories, are enforced in every state and even unethical manufacturers find an ethical procedure more expedient. These laws were sponsored by a public opinion, which had





been molded to recognize the ethical rights of civilized beings to one another. Improved conditions in factories have resulted in great social benefits. Living standards have been raised. The wages paid allow the worker to live in more wholesome surroundings. Better workmen result and better goods are produced for the consumer. But, above all other advantages, ethical conduct of a manufacturing plant results in making better citizens of its employees and the promise of a better generation to come.

Business today is conducted on as high a plane as that of any profession and, with the professions, its standards are constantly being pressed to higher levels. Business requires the finest understanding of the relationship of human beings, for business is just another word for the social, industrial and economic organization of our present world. The feeling that an expression of correct ethics would be in order is evident in the number of trades which have drawn up and circulated codes of ethics in the last fifteen years or so.

The Chamber of Commerce of the United States has adopted a set of principles for good business conduct which illustrate the modern viewpoint of ethics in business:

## I

The Foundation of business is confidence which springs from integrity, fair dealing, efficient service, and mutual benefit.





## II

The Reward of business for service rendered is a fair profit plus a safe reserve, commensurate with risks involved and foresight exercised.

## III

Equitable Consideration is due in business alike to capital, management, employees, and the public.

## IV

Knowledge--thorough and specific--and unceasing study of the facts and forces affecting a business enterprise are essential to a lasting individual success and to efficient service to the public.

## V

Permanency and continuity of service are basic aims of business, that knowledge gained may be fully utilized, confidence established and efficiency increased.

## VI

Obligations to itself and society prompt business unceasingly to strive toward continuity of operation, bettering conditions of employment, and increasing the efficiency and opportunities of individual employees.

## VII

Contracts and undertakings, written or oral,





are to be performed in letter and in spirit. Changed conditions do not justify their cancellation without mutual consent.

#### VIII

Representation of goods and services should be truthfully made and scrupulously fulfilled.

#### IX

Waste in any form,--of capital, labor, services, materials, or natural resources,--is intolerable, and constant effort will be made toward its elimination.

#### X

Excesses of every nature,--inflation of credit, over-expansion, over-buying, over-stimulation of sales,--which create artificial conditions and produce crises and depressions are condemned.

#### XI

Unfair Competition, embracing all acts characterized by bad faith, deception, fraud, or oppression, including commercial bribery, is wasteful, despicable, and a public wrong. Business will rely for its success on the excellence of its own service.

#### XII

Controversies will, where possible, be adjusted by voluntary agreement or impartial arbitration.

#### XIII

Corporate Forms do not absolve from or alter





the moral obligations of individuals. Responsibilities will be as courageously and conscientiously discharged by those acting in representative capacities as when acting for themselves.

#### XIV

Lawful Co-operation among business men and in useful business organizations in support of these principles of business conduct is commended.

#### XV

Business should render restrictive legislation unnecessary through so conducting itself as to deserve and inspire public confidence.

This code covers every situation arising from business transactions, and if practiced sincerely by all, would undoubtedly mean the end of "shyster" business practices. The Golden Rule summarizes all ethical standards with a simple sentence--"Do unto others as ye would that they should do unto you." However, a state of strict observance of this rule is a Utopia we will probably never realize.

Advertising has felt the impetus of these better business methods and standards. The effect of a newer code of ethics was evident in the development of greater truth and sincerity in advertising matter. Frankness was found to pay. Steady customers were proven to be the basis of profit. The mail-order businesses, which have





developed to enormous proportions within the last two decades, have acquired this great volume of business largely because of their policy of literal truthfulness and dependability. This has necessitated absolutely accurate descriptions of goods for sale, so that the customer at a distance may be able to visualize, without a later disappointment, the goods that he orders. Strict observance of this policy was necessary in order to build up a lagging confidence in the mail-order business and to avoid the difficulties connected with the return of goods. The description of goods has been made so accurate, that one of the largest mail-order houses reports that the goods returned constitutes less than one-tenth of 1%.<sup>1</sup> Most mail-order houses and many retailers insist that the garment or the article, be before the copy writer and the artist so that their description or representation may be made with detailed accuracy. Advertisers are beginning to realize that the most effective appeal is the one that is literally true, put in such a form that it gives an impression of complete sincerity. A study of the results of advertisements illustrating this principle has proved their effectiveness so conclusively that it is to be wondered why more business houses do not make this their basic advertising policy.

The following incident which is taken from the files of "Printers' Ink," illustrates the value of frank





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advertising. At the same time it indicates the trend of business ethics with its consequent effect on advertising. Twenty-five years ago, the manager of this store would have endeavored "by fair means or foul"--and mostly by the latter, to foist the suits on the more gullible members of his trade.

#### ADVERTISING A REAL BARGAIN SALE OF CLOTHING

Reasons for Low Prices Were Obviously True and Sales  
Were Five Times Greater Than on Any Previous Day

Hart, Schaffner & Marx

Chicago, Feb. 28, 19--

Editor of Printers' Ink: We are sending you a copy of an advertisement which brought remarkable results for one of our customers, together with a little story on the accompanying sheet, which tells about it.

We know that you often make use of articles of this kind, and believe that this one will be of interest to your readers.

Hart, Schaffner & Marx

Here's an advertisement that sold 100 suits in one day in a very small clothing store whose previous high record for a single day's business had been nineteen garments.

In addition it was used as an object lesson in honest advertising in the School of Commerce of Northwestern University, and proved so convincing that a number of students and even an instructor or two took advantage of





the sale to replenish their wardrobes.

The store is located on a residence street in Evanston, Ill., nationally known as the "classic" or "highbrow" suburb of Chicago.

The clothes which it desired to sell were the left-overs of several seasons, in colors, styles and materials which had not proved popular with discriminating buyers.

"You couldn't give those clothes away in Evanston," said the manager of the store. "Our trade is the most fastidious in the country."

You know every merchant, no matter where located, thinks he has a particular kind of trade, or some special situation which makes his problem different from all the others.

The advertising department of Hart, Schaffner & Marx, however, thought that human nature in Evanston was very much the same as anywhere else, and persuaded the manager to run the advertisement.

It appeared Thursday and Friday afternoons.

There was a crowd in front of the store when it opened on Saturday.

When it closed that evening just two of the suits remained--one so small no one could get into it, and one which seemed to have been designed for a fat man in a circus.

At least 250 men had applied for suits during the day,





and as a number of the early comers bought more than one suit, the great majority necessarily was disappointed.

One result of the advertisement was that since it appeared sales of higher-priced clothes have been much larger than before.

\$20

Beginning Saturday, February 19

We'll be frank about this.

These suits have been in stock for two or three seasons.

They are not in the very latest styles.

Some are in colors and patterns that have not proven most popular.

Some seem to be just as attractive as any we have, but for reasons we can't explain, haven't sold well.

But--

Every one is all wool

Every one is well tailored

Every one is in perfect condition

You see men--well dressed men, too--wearing suits just like them every day, suits they've had for a season or two.

Why not get one or two of these suits now when you can get them at one-third or one-fourth of the original price?

Sale opens Saturday morning, February 19.

It won't last long.<sup>1</sup>

#### Publishers and Mediums

A considerable number of publishers have taken a





definite stand with regard to the type of advertising they will accept. They now feel a responsibility toward their readers, and are reluctant to allow their pages to be used for the advertising of products which are not all they claim to be. This concern is a fairly recent development and is not entirely altruistic. Up to the turn of the century, many magazines and newspapers accepted all types of advertising matter with little or no investigation. In the early 1900's a financial trickster appeared in New York who advertised a profit of 10% a week, or 520% a year, to investors who would entrust their money to his manipulations in foreign securities.<sup>1</sup> Newspapers in New York, and elsewhere, gave him advertising space without investigating his scheme. Money flowed in and for a while he paid interest out of new deposits. Soon however, the law attempted to investigate his activities, the result being a quick escape on his part with a great deal of money "invested" in his scheme. The affair was given much publicity. The District Attorney was roundly criticized for his delay in ordering the probe, but little criticism was uttered, and certainly no legal steps were taken, against the newspapers publishing advertisements soliciting business for this scoundrel.<sup>2</sup> The law, failing to capture the culprit, might have called the publishers of these papers to account for their part

1--p. 58, Ethics of Advertising--Vawter Foundation

2--Ibid





in a public swindle. Such a proceeding would have been commendable and would have done much to prevent recurrences of such fraud. There have been several--a notorious one, the Ponzi case, having been perpetrated right here in Boston.

Much of the "mail-order advertising" of those earlier years was mean and contemptible, certainly not worthy of any paper with a fair amount of circulation. For example, an advertiser would offer a "complete sewing-machine" for twenty-five cents and send a cambric needles, or he would offer a steel engraving of General Grant, and send a four-cent stamp, 1903 issue. Most of these schemes were law-proof; a needle was a sewing machine and a one-cent stamp, a steel engraving. The post-office would issue fraud orders and stop the mails. Some victims would get their money back, but frequently the swindler would decamp in time and sooner or later reappear with a new trick, a new address and a new name.

Honest advertisers refused to keep company with thieves, and publishers soon saw that something must be done, if advertising were to become what it was destined to be--the distributor of honest legitimate goods. Careless indifference to the type of advertising they accepted was ruining newspapers and magazines as a medium. The "fly-by nights" were not steady customers and legitimate business men, feeling that all advertising would be classed as unreliable by the public, were hesitating to





employ this means of selling their products. The Federal Government was singularly apathetic at that time in warring against advertising frauds, but other organizations were not so reluctant in forcing publishers to clear their columns of these worthless and unreliable appeals. Patent medicines were the greatest offenders and it was against their advertising that most criticism was raised. Reputable advertising agencies sent orders to newspapers with the proviso that if the advertisement appeared on the same page with patent medicine advertisements, the bill would not be paid. The aim of such threats was to deprive the patent medicines of the privilege of advertising. Without advertising, dishonest and unscrupulous businesses could not exist at all, which was one means of getting rid of them. The resentment against these worthless nostrums grew to such volume that publishers themselves joined the war against them. Edward Bok, then editor of the Ladies' Home Journal, a Curtis publication, took up the campaign and waged a constructive crusade. His onslaughts were thorough, searching, and well-documented. A memorable exhibit reproduced one of those intimate, personal letters to women in trouble signed by Lydia E. Pinkham, alongside of the grave in which the famed lady had been lying for several years.<sup>1</sup> Bok was joined in his campaign by Samuel Hopkins Adams, in an expose conducted in Collier's Weekly. The result of these





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attacks was to close the self-respecting magazines to patent medicine advertising of any kind, and to curtail greatly such advertising in the newspapers. It has crept back, however, and today we find in the newspapers, advertising of this type, and we also find it in some of our best magazines.

Patent medicines were not the only type of extremely objectionable advertising matter, but the campaign against them aroused publishers to action, and greater care and vigilance in regard to all advertising resulted. The publications fostered by Cyrus Curtis, were among the first to appreciate the need of regulation. The Curtis Code appeared--an ethical basis for advertising in Curtis publications. It was not inspired by a moral or righteous attitude. Its purpose was simply to make advertising a better instrument for all who used it by eliminating abuses which either alienated readers, or discredited other advertising in the same publication. The Code was the basis of a working agreement with advertising agencies, most of whom accepted it with cordial cooperation.

#### THE CURTIS CODE

We exclude all advertising that in any way tends to deceive, defraud, or injure our readers.

Extravagantly worded advertisements are not acceptable, nor those in which extreme and exceptional cases are





made to appear average and representative.

"Knocking" copy is not acceptable--that is, copy which points out the inferiority of competitors' goods, in contrast with the superiority of the advertiser's.

Medical or curative copy is not acceptable.

Advertising in which installment-plan selling is incorporated is not encouraged and must be most carefully investigated before being accepted.

Advertising of an immoral or suggestive nature is not allowed, and representations of the human form are not acceptable in any suggestive negligee or attitude. Advertisers of corsets, hosiery, underwear, etc., should consult our representatives before going to much expense in the preparation of copy and cuts for use in our publications.

Copy that is cheap or vulgar and advertisements that are unpleasant, either in subject or treatment, are rejected.

"Blind" advertising or advertising which in purpose and intent is obscure or misleading is not acceptable.

The word "free" must not be used unless the article is actually free, or the conditions under which the article is given are equally prominent, so that there may be no misunderstanding by the reader.

Advertisements exploiting prize competitions must in all cases, on account of postal regulations, be submitted





to us for our approval previous to their insertion, and such copy must reach us at least two weeks in advance of closing date.

Speculative real-estate advertising is not acceptable. Farm advertising is accepted for the County<sup>1</sup> Gentlemen after careful investigation.

Some of the provisions in the above Code could not be enforced today as conventions alter, and frequently today's scandal becomes tomorrow's habit. The section pertaining to "representations of the human form" and "advertisers of corsets, hosiery, underwear, etc." is an example. Thirty years ago the Editor of the Ladies' Home Journal received a storm of protests against an advertisement showing pictures of women wearing very modest evening dress. Today nude pictures in advertising pass without comment. The injunction against "knocking copy"--copy disparaging competing articles--has brought up delicate ethical problems. One instance was that of Williams' Shaving Soap which had used for fifty years the slogan, "The only kind that will not smart or dry on the face." The Saturday Evening Post refused to accept the Williams' advertising until the phrase was modified, arguing that it was no longer true and therefore an unfair reflection on other soaps. Heinz Baked Beans presented another problem. The Pure Food and Drugs Act does not permit a manufacturer to label beans "baked" unless

1--The Curtis Code--The Curtis Publishing Co.  
Philadelphia, Pennsylvania





they are baked. It happens that Heinz is the only widely advertised brand that is baked, yet The Saturday Evening Post would not accept copy making this point clear, claiming that such an appeal was unfairly competitive.

Many other instances could be quoted wherein the Curtis publications have endeavored to rout unfair advertising. They were leaders in the movement and Cyrus Curtis, their founder, is lauded in advertising circles as well as in publishing. The Bok Gold Medal, founded by his son-in-law, has belatedly been awarded to Mr. Curtis, "because of the strict adherence throughout his distinguished career as a publisher to the requirement, which he pioneered, of high standards of reliability in advertising; because of the effort and encouragement he has given to secure better typography and reproduction in magazines; and because of the examples of wholesome journalism which he has furnished."

Newspapers have adopted similar codes, although most of them have been limited to patent medicine and "get-rich-quick" swindle advertising. The Chicago Tribune has the following code:

"A" The Chicago Tribune accepts advertisements of:

1. Approved medical books and periodicals
2. Approved procedures and proposals for preventive medicine.
3. Sanitary appliances





4. Disinfectants, soaps and other cleansing agents
5. Ventilating and heating devices
6. Mineral waters
7. Health foods and curative remedies the worth of which is generally recognized by the medical profession, having the U. S. Government approval as to the alcoholic content for internal remedies which present no claims of extravagant results for the treatment of specific ailments, but which are, in the judgment of the Chicago Tribune, advertised for those purposes which will not tend to diminish in the minds of readers the necessity of proper medical attention, and subject to the following limitations which apply especially, but not entirely, to curative medicines.

"B" The Tribune does not accept advertisements of:

1. Physicians, surgeons and specialists in medicines
2. Treatments of venereal diseases. Treatments of so-called diseases of men and women.
3. Abortionists, remedies to produce abortion, instruments to produce abortion, remedies, instruments and appliances to prevent conception.
4. Remedies, drugs, appliances and methods the proprietors of which have been convicted by the federal, or any state, or municipal, government of violation of the Federal Food and Drug Act,





the Sherley Law, or any state or municipal law of the same general character and intent as the above laws.

5. Remedies, drugs, appliances and methods which have been brought into public disrepute by wide-spread charges brought by any federal, state, municipal, health or food department, by the American Medical Association, National Retail Druggists' Association, the National Dental Society, or any other well-established, reputable organization, or by any considerable section of the public press.
6. Internal remedies containing cocaine, morphine, heroin, or any other habit-forming drug.
7. Internal remedies except laxatives and purgatives and those acceptable under rule "A-7."
8. Local applications, sprays, inhalations, lotions, liniments, ointments, dyes, and other local applications which contain wood alcohol, lead, cocaine, or any other substance that is poisonous or liable to do harm.
9. Hidden advertisements (prescriptions)
10. Remedies, drugs, appliances and methods for which extravagant and obviously impossible claims are made, such claims as are against the letter or the spirit of the Sherley Law. This applies if the claims appear on the label, in a circular or booklet, or in any advertising whatsoever.





1  
11. Dental advertising.

In 1923, a year in which all business organizations felt the need of a public expression of their ethical policies, the National Publishers' Association, adopted a trade Code.

PUBLISHERS' CODE OF ETHICS AND BUSINESS PRACTICES

We pledge ourselves to TRUTH, first and always, as the paramount obligation of the publisher--to Truth in our editorial columns and our advertising pages--to Truth in every relationship with subscriber and advertiser, in every representation to the public in the printed word, the written word, or the spoken word.

We pledge ourselves to JUSTICE--justice to our readers by keeping our editorial pages free from self-interest or commercial bias--Justice to our fellow publishers by the strict avoidance of unfair or disparaging competition--Justice to the advertiser and subscriber by keeping our dealings with them free from discrimination of any kind--Justice to advertising by accepting it only when we believe it will be a profitable investment for the advertiser.

We pledge ourselves to COURAGE--Courage to maintain editorial independence--to refuse advertising which is false, malicious or misleading--Courage to protect advertising against unfair taxation that would restrict its service as a builder of sound and broadly distributed property--Courage to condemn every fraudulent, tricky or





questionable practice and to uphold all sound agencies that work for the betterment and elevation of our standards.

Inspired by the FAITH placed in our publications by the vast army of readers who look to us for leadership and enlightenment, and by the Faith of thousands of advertisers who regard our publications as vital factors in the promotion of American business and industrial prosperity, we pledge ourselves to an unswerving adherence to TRUTH, JUSTICE, and COURAGE, and an unwavering fidelity<sup>1</sup> to the fields we serve.

These various codes have been carried out in spirit, if not absolutely to the letter. They represent an early attempt to "clean house from within," the privilege present day advertising leaders are begging and which appears to be soon denied to them.

GOOD HOUSEKEEPING actually guarantees the advertising it carries. The magazine maintains a testing bureau known as the GOOD HOUSEKEEPING INSTITUTE, in which products are subjected to use, and claims and results compared. The guarantee covers a refund on any misrepresentation or deception which may have appeared in connection with the magazine's advertising. If the advertiser will not make good, the magazine will and, according to its claims, has done so in several instances. Regularly the following guarantee is published in GOOD HOUSEKEEPING.

"Every article advertised in GOOD HOUSEKEEPING is





covered by a money-back guarantee. This money-back guarantee is made possible because all household appliances, food products, and toilet preparations have been tested and approved by the Department of Household Engineering or the Bureau of Foods, Sanitation, and Health, maintained by GOOD HOUSEKEEPING. These are marked with a star (\*). The examinations are technical and practical, the tests being made under the supervision of experts.

Every article advertised which cannot, by its nature, be tested, bears the same money-back guarantee if the advertisement appears in GOOD HOUSEKEEPING."

Most high-grade magazines imply an advertising guarantee, although they do not stress it as emphatically as does GOOD HOUSEKEEPING, which uses this service as part of its own advertising. Newspapers have been slower to adopt the guarantee policy although it is now in force in the New York Tribune and several other widely-read papers.

The following quotation is taken from "Principles of Advertising" by Starch, and illustrates the working powers of such guarantee.

"How large a part of the confidence of the public in magazine advertising is due to the careful advertising policy of publishers is not appreciated by all advertisers. A large national advertiser said the other day that if advertising pages of the publications he used carried one-





half of the advertising that most magazines carried eight or ten years ago, he would seriously consider withdrawing altogether from advertising his product. He could not afford to appear anywhere in juxtaposition to objectionable advertising.

(Mr. S. K. Evans says the following for the WOMAN'S HOME COMPANION): "I want our readers to feel that the WOMAN'S HOME COMPANION will go shopping with them through the advertising pages, and will guarantee to make good every advertiser's representations. No reader can have much purchasing security by any other method of shopping, and I want to keep that faith inviolate.

"We have had several interesting cases in which we were given an opportunity to prove our principles. A woman bought a bird from one of our advertisers some time ago, and when it arrived it was a dead bird. She wrote to the concern, but it made no effort to satisfy her. Then she wrote to us, it was a small matter to have reimbursed the woman, but we were after the principle, and kept after the advertiser until he finally made good to the woman. She had done her part, doing exactly what the advertiser asked her to do, and had sent her money. If she had been given no satisfaction, her entire faith in advertising might have been shattered."

One of the few magazines, if not the only one, however, which has actually put an advertiser behind the





bars is Success Magazine. A Buffalo man advertised doll houses, and many people sent him money. He promised to deliver them, but kept sending promises only. He had a splendid suite of offices, but no discoverable factory. After making an investigation and giving him until a certain time to raise money to put on deposit against his obligations to those who answered his advertisements Success Magazine finally decided to prosecute, and he is now serving sentence."

#### Legal Methods: The Printers' Ink Statute

In 1911, Harry D. Nims, a well-known corporation lawyer and author of the standard legal work, "Nims on Unfair Competition," was engaged by Printers' Ink to make a study of the possibilities of a legal attack on dishonest advertising. He searched back into Common Law for his authority, reviewing the situation thoroughly in an earnest and constructive manner. The most pertinent part of his study is quoted.

At common law a civil action was possible against a person who deceived another by false or fraudulent statements, and in such an action, damages might be recovered representing the differences between the value of the thing actually sold in connection with the fraudulent statements and the value of what should have been sold had the representations been made in good faith. This civil action is of little value in preventing frauds of





this kind, because of the necessity of proving this damage, and because oftentimes the damage on this basis would be very small. It would be quite possible to pass a statute which would compel the defendant, on judgment being obtained against him, to pay triple damages as is provided in the Sherman Act and even greater damages than this could probably be so authorized if advisable. It is doubtful, however, whether if such a remedy as this was created, it would be sufficiently useful to serve as a preventative of these fraudulent acts.

Turning to the criminal side of the common law, there appears to have been no indictable offense recognized by it which corresponds very accurately to the originating and publishing of a fraudulent advertisement. The nearest analogy to it is found in what the common law called a "cheat" which, according to East's "Pleas of the Crown," Vol. 2, p. 818, consists in the fraudulent obtaining of the property of another by any deceitful and illegal practice or taken (short of felony) which affects or<sup>1</sup> may affect the public.

A review of the common laws of the United States pertaining to advertising resulted in the following:

#### COMMON LAW SUMMARIZED

It may be said that (1) there is nothing in the common law or in these old English statutes which are a





part of American common law, which would furnish an argument against enacting statutes making fraudulent advertising a crime; (2) that the common law and the English statutes mentioned furnish, by analogy, ample argument for the contention that fraudulent advertising is a cheap or false pretense, and therefore should be regarded as a crime under the various state statutes prohibiting the use of false pretenses, provided it results in definite injury to some person; (3) that there are statutes in most, if not all, of the states of the Union prohibiting the use of all false pretenses which result in actual injury; (4) that very few courts have passed on the question as to whether or not the use of a fraudulent advertisement is a crime under these statutes. <sup>1</sup>

Printers' Ink found several courses open, but opinion pointed to a plan calling for the adoption of a uniform law by each state of the Union. The Statute recommended to serve as a model for all of the States which was drawn up by Mr. Nims, follows:

Any person, firm, corporation or association who, with intent to sell or in any wise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the





public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated or placed before the public, in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading, shall be guilty of a misdemeanor.

After the Statute had been drawn, Printers' Ink presented it for consideration with this declaration:

"We are against any law unless at the same time it is made somebody's business to watch out for infractions of the laws, to collect the evidence and see that the case is pressed."

The suggestion was also made that the Associated Advertising Clubs of the World should assume the responsibility of making the Model Statute a working piece of legislation whenever it was enacted into law. Printers' Ink had in mind the success of the "Grievance Committee" of the Bar Association in the ferreting out





of shyster lawyers, and wished to have the advertising Clubs uphold the ethics of their profession in a similar manner.

As a result of this suggestion, the National Vigilance Committee and the affiliated Better Business Bureaus were formed. The Better Business Bureaus today are headed by the National Better Business Bureau, which has become a powerful wielder of the "Big Stick." It is interesting to note that the Federal Statute which was the reason for the existence of these Bureaus is also their chief weapon in curbing unethical business methods. It is the force that makes possible the use of moral suasion on a dishonest advertiser, which usually has a more effective outcome than a lawsuit. Court prosecutions are long and tedious, the advertiser has a chance to continue in his nefarious business for many months--the "suit pending" period--during which time the consumer is unprotected and much wrong-doing can take place.

The Printers' Ink Statute has been criticized because it does not include "insinuation or use of a part of the truth in a way that might deceive"<sup>1</sup> and because there is no relief in equity which would enjoin the offender from continuance. However, there have been court trials under the Model Statute. The constitutionality of the law has been attacked and the law has been upheld. The case of the State of Ohio vs. Charles





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Shaengold is an excellent illustration of a decision in favor of the Statute, and also presents a jurist's<sup>1</sup> views on advertising.

The defense had asked that the case be dismissed on the ground that the law was unconstitutional, to which the judge replied, in part:

"Advertising having come to be considered as a necessary part of a merchant's business, the legislature, in the opinion of the court, had a right to pass laws for the purpose of keeping it clean, and no honest man, be he seller or buyer, ought to complain. Laws provided for the detection and prevention of imposition and fraud, as a general proposition, are free from constitutional objection, and this law in question comes under this head.

"This law in question does not single out any particular class of advertisers, but applies generally to all advertisers. The evil aimed at is the possibility of alluring or enticing an unsuspecting public into the merchant's place of business, who, being unfamiliar with the quality of the goods; solely relying on the truth of the advertisement, become easy victims of an unscrupulous merchant. Fake advertising is the evil which the legislature sought to regulate, and because this law does not extend to false statements made orally by the merchants or his agents, is no reason for saying that the legislature acted unreasonably and arbitrarily.





"Defendant stoutly maintains that at most the advertisements in question simply constituted the puffing of defendant's wares which he had for sale. Puffing or dealer's talk has been a trade custom or usage ever since merchants began to make extensive use of the advertising columns of our newspapers or magazines. Puffing seems to have at all times been considered legitimate and ethical, and defendant cites recent advertisements of local merchants offering \$1.35 book values for twenty-five cents; three-dollar slippers for one dollar; fifteen dollar suits for \$8.90, etc.; but there is a vast distinction between exaggerating the value or comparative quality and efficiency of an article and that of falsely misrepresenting such article. There is a distinct difference between advertising 'The best table you ever bought for twenty-five dollars. It is worth forty dollars,' when, in truth and in fact, it is imitation mahogany. The first is simply elaborating upon a literal truth and is considered merely as the dealer's opinion of the merits of his wares; the latter an absolute falsehood. There is a distinct line of demarcation between a comparative or superlative truth and a plain unvarnished lie.

"Defendant claims that this Statute is unconstitutional because there is no scienter in said Statute; also because the affidavits upon these proceedings are based





aver no scienter...

"As a general rule, guiltly knowledge or intent is an essential in crime at the common law, and also in statutory crime, but not always. There are many cases, in statutes providing police regulations making certain acts penal, where this element is wholly disregarded.

"The leading case in Ohio in support of this view is State vs. Kelly, 54 Ohio State 166, involving the construction of the 'pure food' statutes, being an act to provide against the adulteration of food and drugs.....

"The reasoning in the Kelly case is applicable in the cases at bar. The purpose of the act in question in this case is indicated by its title. It is an act to provide against fraudulent advertising. The act was intended for the protection of the public; it was not enacted because of any assumption of turpitude on the part of the seller. In the opinion of the court the cases at bar come squarely within the rule laid down by Judge Shauck in the Kelly case. The Kelly case is still considered good law in Ohio"<sup>1</sup>...

Ohio was the first state to adopt the Statute as a law. It was passed by the Legislature in 1913. Minnesota was second. In the ensuing years many other states have adopted the Statute until it is now in force in twenty-five states:

Alabama	Nevada
Colorado	New Jersey





Idaho	New York
Illinois	North Dakota
Indiana	Ohio
Iowa	Oklahoma
Kansas	Oregon
Kentucky	Rhode Island
Louisiana	Virginia
Michigan	Washington
Missouri	Wisconsin
Minnesota	Wyoming
Nebraska	

There are a number of states that have "toothless" substitutes for the Statute--laws against fraudulent advertising which are not workable. The word "knowingly" or some equivalent, is inserted into these laws, thereby lifting the blame from the shoulders of the advertiser. Clauses in a law which require "scienter," knowledge or intent to defraud, give the dishonest advertiser a loophole through which he can very easily wiggle. Such clauses cloud the issue, protract argument and afford excellent opportunities for the citation of errors, thus wasting the time of the higher courts and wearing out the patience of the prosecution. The advertiser should be made to stand up and answer for his offense. He put the advertisement before the public. He stood to gain and he should pay if he cheats the public. A strict law should be passed in each state and a rigid enforcement maintained.

#### The National Vigilance Committee

The Associated Advertising Clubs of the world about 1912, adopted the motto, "Truth in Advertising" and





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established a National Vigilance Committee. This organization "concerns itself with abuses of national advertising and also works in co-operation with local Better Business Bureaus, which in turn co-operate with each other, thus maintaining a nation-wide organization.

"The membership of a Bureau, which is by firm, includes newspapers and other publications, retailers, banks, investment bankers, advertising agencies, manufacturers, wholesalers, etc.

"Any local business house of good standing is eligible to membership. Such membership carries the privilege of complaint against abuses of advertising, the right to receive all bulletins issued by the Bureau, the advantage of certain forms of confidential Bureau service, and, of course, a share in the credit for the accomplishments of the organization.

"Bureau work has two main divisions--Merchandise and Financial. The Merchandise Division directs its attention to abuses of advertising in such fields as department stores, men's and women's apparel, other retail groups, automotive and technical, medical and drug, food and beverages, etc. The Financial Division is concerned largely with questionable stock promotion<sup>1</sup> schemes."

Better Business Bureaus are now operating in about

1--Pamphlet--Purpose of Vigilance Committee and Better Business Bureaus--Associated Advertising Clubs





fifty of the largest cities in the United States. The work of the Bureaus is constructive as well as critical. Recommendations, in many instances have been offered for the preparation of ethical advertising to be substituted for misleading statements which are apt to reduce the consumer's interest in all advertising.

The policies of the Bureaus are definitely stated. There are variations in different localities but in general the statements and aims are made in the following manner. Recent incidents taken from the files of the New York Better Business Bureau, illustrate each statement.

1. "The Better Business Bureau protects the buying public against deception and possible fraud in advertising and merchandising by investigating and correcting wrong practices."

A downtown "cut-rate" drug store in an advertising circular offered cod liver oil and illustrated the product with the trade mark of a well-known brand. The Better Business Bureau found, however, that the cod liver oil which was on sale in this store was its own private brand and not that which was pictured in the advertising. This fact was discussed with the proprietors of the store and as a result, new circulars advertising the cod liver oil carried a picture correctly illustrating the bottle sold.





2. "Persuades individual firms to discontinue unfair tactics that work to the disadvantage of competitors."

An advertisement offered Knox & Dunlop Hats "\$5., \$10., \$15., and \$20. Grades." "Every Hat New For Spring." The hats had been manufactured several years earlier and had been in the stock of another store. This advertiser was drawing purchasers of Knox and Dunlop hats to his store by unfair and fraudulent methods. Stores really selling new Knox and Dunlop hats stood to lose out on many customers by this bit of trickery. At the Bureau's suggestion, the advertiser published a correction in the Daily News and the New York Journal where the original advertisements appeared.

3. "Removes unjustified suspicion and misunderstanding between competitors by getting the facts regarding suspected advertising and merchandising practices and reporting upon their real character."

The Bureaus have endorsed and encouraged the use of standard branding which has been a great aid in the reduction of unfair competition. Recently after a trade conference at Chicago, rules were approved by the Federal Trade Commission to aid in the accurate and fair advertising of diamonds, synthetic stones (rubies, emeralds, and sapphires) and imitations of pearls. These rules will probably reach their maximum of application through the work of the Better Business Bureaus, which will





investigate advertisers who neglect specifically to adopt and continuously practice them. Even before these rules were adopted by the Commission in 1929, many advertisers of "pearl" jewelry in New York City had with the constant urging of the Better Business Bureau, followed the practice of at least an asterisk (\*) explanation, using "simulated" or a similar term. Today Government rules require the use of the word imitation or an equivalent term in a size type equal to the display of the word "pearls" in the advertising.

Clarity in advertising, at least to the competitor who now knows just what is being offered for sale, has been fostered continually by the Bureaus in order to remove suspicion and reduce hostility within trades.

4. "Reduces the burden of unjustified public suspicion which may, through misunderstanding, rest upon the advertising or merchandising of any institution."

The following circular of the Vigilance Committee<sup>1</sup> evidences their watchfulness on this point.

#### "Self-Collection" Letter Systems

It has been brought to our attention that a number of so-called collection agencies, systems, or associations are advertising in the "Salesmen Wanted" and "Business Opportunity" columns of newspapers and magazines. The following is a representative piece of their copy:





Agents--\$25 to \$100 per day--Salesmen selling absolute necessity to merchants and professional men. 525% profit. Big weekly repeater. To ambitious men and women this means \$10,000-\$50,000 yearly. Send dime to cover mailing. Outfit free.

The earning claims in the classified advertisements appear exaggerated and are objectionable in themselves, but a more serious consideration arises from the manner in which these systems operate.

The salesmen purchase the systems for prices ranging from one to two dollars and resell them to merchants for five or six dollars, thus pocketing an exorbitant profit on each transaction. We understand that the systems are composed of a series of collection letters for delinquent accounts. It is said that merchants fill in and mail the letters, making it appear that the communications come direct from the collection agency office, whereas the so-called agency has nothing to do with them after they are sold to the merchant. This is, of course, a misrepresentation of facts and we believe savors of duress, besides appearing to be a species of false pretense. The Committee is of the opinion that is is not only a violation of the law, but that a debtor could set up a valid defense against the account if the matter was pressed to a suit.

Merchants desiring to protect the Good Will of their business should be warned against this questionable





method of collecting delinquent accounts.

Publications are given these facts so they may be fully informed concerning a practice of confidence-  
<sup>1</sup>  
 destroying character.

5. "Seeks to create maximum public confidence in every recognized form of advertising--out of doors as well as newspaper, magazine, direct mail, etc.--by making all advertising trustworthy."

An installment house in Brooklyn in one of its advertisements, offered a trade-in allowance as follows: "\$35. on your old suite, regardless of its condition or the number of pieces." This advertisement failed to make clear the fact that the allowance would be granted only if new furniture, above a minimum price, were bought. Likewise, it was not made plain in the advertisement that persons turning in one or two odd pieces of old furniture could not obtain the trade-in allowance which applied only when a complete suite of used furniture was traded in. The store agreed with the Bureau that these conditions were not made clear in its advertising, and revised subsequent advertisements accordingly.

6. "Increases public confidence in all advertising and merchandising by cooperating with the advertiser to represent correctly his goods and the conditions under which they are sold."

A Brooklyn store advertised jewelry as real garnet

1--Better Business Bureau--"Facts--Then Action"





for 98¢ and \$1.98. Examination of the merchandise proved it to be imitation garnet, and this fact was called to the store manager's attention. The explanation was made that the jewelry had been billed to the store as "Genuine Bohemian Garnet." The Bureau provided a list of brandings which described Bohemian garnet as just what it was--a synthetic stone. The advertising was corrected and the store promised it would not allow the error to occur again.

7. "Helps an advertiser make his printed announcements more believable and productive. In many cases it turns an unscrupulous advertiser into a fair-dealing advertiser."

A Washington Heights, New York, millinery shop, which operated a so-called "club plan" by which women purchasing four hats would be entitled to select a fifth one free, was the subject of a complaint to the Bureau on the grounds that the store refused to give a hat without charge, to a woman who over a period of time had purchased four hats there. The shop explained that all the purchases had to be made within a single year, although this had not been made clear in its previous announcements of the plan. The Bureau discussed the matter with the management, the deception and doubtful ethics being clearly pointed out. The proprietor regretted his duplicity and agreed to place signs on the walls of the shop making clear the time limit on the free hat offer.





8. "Protects public confidence in the business community as a reliable trade center so that buyers in the surrounding territory may feel that they will get value--received in a Better Business Bureau City."

In November 1933, two principals of the Crestmont Realty Company, which sold subdivision lots at Seville, Manor, Wading River, Long Island, were arrested in Westport, Connecticut, and later convicted on charges of fraud. The men arrested were George Russell, also known as David Cagney or Allen, and Gordon Krumme, alias Gordon Young. Krumme was fined and, in default of payment, was jailed. Russell was turned over to the Post Office Department in New York, which had been looking for him for several years. He had "jumped" \$10,000 bail and disappeared following his arrest on fraud charges in 1929.

Russell and Krumme had swindled a resident of the town of Westport out of approximately \$22,000. Their scheme was to offer lots for sale in their development in exchange for securities which had greatly depreciated in value. Their appeal was that it was a wonderful opportunity to recoup on losses of this type. At the time of the exchange, however, a considerable cash investment had to be made in addition to the securities. If the purchaser of the lots bought a parcel of land sufficiently large, the sellers guaranteed a resale at great profit to the investor. The investor could even interview





the interested third party. All details of this scheme were carefully planned and to the anxious investor it looked like a safe and extremely profitable purchase. A total of approximately \$250,000 was netted by this fraudulent company before their activities were brought to a conclusion in an investigation conducted by the New York Better Business Bureau, which had received many complaints from unfortunate people who had purchased lots or parcels of the land. The condition of the land had been grossly misrepresented, the guaranteed second purchaser was nowhere to be found and lots sold for \$600 apiece were found to have been purchased originally for \$10 apiece.

The Better Business Bureau co-operated with the Connecticut authorities in the apprehension and conviction of Russell and Krumme and, as a result of facts brought out by its investigation, was instrumental in obtaining the original fraud indictment of Russell.

In suburban New York, small towns and cities not having sufficient funds to support a bureau of their own, subscribe to the New York City Bureau, which offers a certain amount of them protection against fraud and unfair practices. A report of a fraudulent business transaction, either by a competitor or a consumer, is all that is needed to incite an investigation.

9. "Informs stores which are members of the Bureau concerning misleading statements made by employees





with respect to goods advertised, as well as the unfamiliarity of employees with merchandise advertised by their respective departments."

The Bureau maintains shoppers who circulate through the stores inquiring and purchasing. Reports are made to the stores of any unfavorable reactions. Many times stores request a particular investigation of a department in which merchandise does not seem to be moving rapidly.

10. "Co-operates with an honest business institution to help it remove confidence--destroying spots on its own advertising and merchandising."

A Fifth Avenue store advertised coats that it believed to be camel's hair but which contained a substantial percentage of wool, as well. When this fact was brought to its attention, the store owner published a correction and offered to make refunds. It also notified the manufacturers and warned against further misrepresentations.

11. "Curbs certain types of fraud such as "home work" schemes and "gyp" sales, advertising both locally and nationally in the classified columns of newspapers and magazines, and by direct mail."

In this period of widespread unemployment, this type of fraud is particularly vicious. In the past two years Better Business Bureaus have uncovered and exposed as many as fifty or more schemes designed to victimize those who can least afford to lose any of their savings, namely,





the unemployed. Most of these swindles take the form of requiring the interested unfortunate to post a bond, which is of course never returned; or else making him pay for an outfit, from which the promised profitable sales never materialize. The Better Business Bureau has received prompt co-operation from local District Attorneys in the prosecution of these merciless rackets.

12. "Promotes state and municipal legislation for the better protection of legitimate business and the public from abuses of advertising. But only flagrant misuses of advertising are prosecuted, and then only as a last resort."

It is interesting to note that the Fair Practice Code written into the Retail Code by the N.R.A. in October, 1933, was based on the Fair Practice Code set up by the Better Business Bureaus in February, 1932. A National Committee had been established by the Bureaus as early as 1931. Ideas were exchanged and conclusions reduced to a few simple statements of principle, predicated on the assertion that it is of "paramount importance to the economic and social welfare of the American people that practices in business should be more clearly established and firmly maintained on a plane of fairness to the public and fairness to competitors and to business as a whole."

When the National Recovery Administration was set





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up, the Better Business Bureaus, both National and local, were prompt to offer their help. Their assistance was gladly accepted and representatives of the National Bureau and the New York Bureau spent months in Washington assisting in the fair trade practice work. The conclusion expressed above was the aim of their work and after many drafts the Code was passed, similar in most respects to the Bureau Code.

13. "Secures adjustments for customers dissatisfied by reason of unfortunate experience with advertised goods or service, at the same time taking advantage of the opportunity to educate the advertiser in error to better methods and to impress on the individual customer the integrity of most business."

A complaint was received that a pair of gloves, which a woman had bought from a leading Fifth Avenue store, did not wash satisfactorily although they had been sold to her as washable. To investigate the complaint the Bureau purchased a similar pair of gloves, had them washed properly and found that the complaint was justified. When the matter was brought to the attention of the store by the Bureau, the customer was promptly given another pair, and the sales people instructed to inform customers who inquired that the gloves were not washable.

14. "Takes the necessary steps to protect investment bankers from the unfair competition of fraudulent





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stock promotions, conserving money in legitimate business channels in the interest of banks and business generally, and maintaining the confidence of the public in the advertising of worthy investment securities."

### Atlas Tack "Juggle"

In apparent disregard of the Federal Securities Act of 1933, and the drastic punitive provisions set up in that Act to curb misrepresentation and deceit in the public solicitation to purchase securities, one of the most aggressive and widespread telephone campaigns known in recent years has been employed, by an organization with headquarters at Boston, Mass., to induce the public to purchase stock of the Atlas Tack Corporation.

The Attorney General of New York State has begun a vigorous investigation under the State Securities Law.

For several months, persons residing in various parts of the United States have been called on the long distance telephone from Boston, Mass., by parties who claimed they were Chauncey M. Day, head of the McNeel's Investment Service, and were urged to purchase stock of the Atlas Tack Corporation and were assured that by so doing they would reap quick and large profits from the rapid appreciation in the market price of this stock on the New York Stock Exchange, which the persons claiming to represent McNeel's Investment Service said was sure to





occur.

Complaints received indicate that the representations made were not based on facts. Certain interested prospects who endeavored to secure confirmation of the representations made orally, tried to get from their unknown "adviser" a written communication sent through the United States Mails, confirming such representations, but were unable to secure this verification. Sole reliance was placed by the promoters on the oral solicitations, presumably because thereby no tangible record remained.

The stock itself has had a phenomenal rise in market value from a low of  $1\frac{1}{2}$  in February of 1933, to a high of  $34\frac{5}{4}$  on December 15, 1933. On December 16th, the stock dropped drastically to a closing price of  $21\frac{5}{8}$  and since then has dropped to current prices around \$11.00 per share.

Investigation made by the Better Business Bureau has revealed some very interesting facts which have been turned over to the Federal Trade Commission and to the Attorney General of New York State for use in the aggressive investigations that are now being carried  
1  
forward into this matter.

The work of the Vigilance Committee and the Better Business Bureaus has undoubtedly been one of the more important forces in the movement toward the betterment of advertising. The leverage of the various statutes





passed has assisted them tremendously but it has been the persistence of the Committee and the Bureau's, in bringing violations to light, and to consequent prosecution in many cases, that has made business try to keep its advertising and its methods as ethical as the times. By constantly raising their standards, and with recent new legislation, the Bureaus are successfully forcing improvement in ethics in business, and general business conduct is daily reaching a higher level.

The work done by the Bureaus is most varied. It has been discussed at length in this thesis in order to give as complete a picture as possible of the usefulness of such an organization. One man cannot sit in judgment upon his competitor or change his rival's methods. Neither can one class or group hope to achieve what can be accomplished by the full weight of common effort. The Bureaus have worked to educate the free will of the individual by constructive and instructive means. They have not tried to set up rules and regulations but have helped business to establish its own. The case method has been used in most localities and by the National Bureau. The specific error and wrong is thus corrected at its source. Voluntary adoption of practical recommendations and codes has been the method of procedure in regard to the setting up of regulations. Business language has been formed and reformed by the swift changes in goods and their method of distribution. Old, outworn





customs need to be replaced by new, improved practice. And the "rules" of today may become the useless inhibitions of tomorrow. The Bureaus work closely with business as it changes and helps to keep its new directions right and its progress safe and true. There has been no sudden change as a result of this work, but there has been a quiet, sure advance to higher levels of advertising and selling practice. Business is known to the public by the contact which the public has with its representations, printed and oral. No business can progress to great success, size and importance except through the medium of advertising in one form or another.

To keep the channels of this great business force clean, is to protect in large measure and substantial degree both the legitimate firms who serve the public, and the whole public who are served. The changes which have taken place are imperceptible sometimes at close range, but when viewed down the corridor of the years are seen to have brought definite gains and fundamental progress.

#### Codes

The Associated Advertising Clubs have been responsible for most of the industry attempts to keep advertising ethical, realizing that if advertising did not do this itself, the Federal Government would set up regulations for the industry which might prove to be extremely exacting.





The following are a few of the earlier codes to which all members of the organization subscribed. This was a fairly effective working scheme for the betterment of advertising as all reputable agencies wished to belong to the association and had to accept the Codes, therefore, perforce.

(I)      Standards of Practice for Advertising Clubs

We pledge ourselves to remember that advertising is and should be, first of all, an exponent of the square deal, and that it is only when business men put the interest of the buying public first that they take the best advantage of their opportunities.

We will not at any time knowingly do anything which will injuriously effect advertising, nor will carelessly speak ill of any advertising medium.

We will work together to the end of making all advertising more truthful, knowing it will then be more effective and of greater benefit to the buying public.

We will exercise care, individually, at all times, to see that every advertisement with which we have anything to do shall measure up to the plain, simple truth. We stand firmly for constructive advertising and condemn, without reserve, all forms of destructive advertising.

To each other, we pledge patient service toward the upbuilding of advertising in this community.

To all business men of this community, we pledge





co-operation toward the advancement of the community's business along sane and proper lines.

To the public, whom we as a club serve primarily, we pledge our best efforts to make advertising the servant of the people in the truest sense.<sup>1</sup>

(II)

Standards of Practice

1. We Pledge Ourselves to refrain from doing or saying anything which might tend to bring any accepted form of advertising into disrepute.

2. We Pledge Ourselves to a just respect and consideration for competitors, avoiding derogatory statements regarding the merchandise or advertising of others.

3. We Pledge Ourselves to refrain from the use of unqualified statements in advertising copy; such phrases as the "greatest sale in America," "biggest bargains in New York," "unmatchable values," etc., are to be avoided.

4. We Pledge Ourselves to construe the terms, "Value" and "Worth" to mean the reasonable retail market price the article would bring at the time of the advertisement and to be determined by what the same or similar article is selling for by other merchants at the time of the advertisement.

5. We Pledge Ourselves to construe the term "formerly" to mean the last price to which the merchandise was marked, in our store, previous to the date of publication of the advertisement; and we further pledge





ourselves to eliminate the use of the word "originally" as it is conducive to probable misrepresentation.

6. We Pledge Ourselves to construe the term "regularly" to mean the price prevailing in our store, immediately prior to the sale of the specific merchandise advertised, and referring, in all cases, to a temporary reduction.

7. We Pledge Ourselves to an understanding that, when the words "up to," accompanied also, by the maximum value or former price, are used, they shall be accompanied, also, by the minimum value or former price; and that at least 10% of the merchandise so advertised shall be of a value or former price as high as the maximum price quoted.

8. We Pledge Ourselves to refrain from the use of statements of fractional reductions or savings unless these reductions or savings are based upon today's "value" or "worth," as these terms are herein defined.

9. We Pledge Ourselves to avoid unqualified comparative prices except when "value" or "worth" are inferred; example \$20, \$25, and \$30 Dresses at \$17.50, means \$20, \$25, and \$30 values at \$17.50 in accordance with the "value" term as herein defined.

10. We Pledge Ourselves to the use of "special reductions," "specially priced" and similar terms, only when merchandise is being offered at a price less than the regular or prevailing price in our store.

11. We Pledge Ourselves to state that, when





merchandise from regular stock is included in a Special Purchase Sale, the fact shall be so advertised.

12. We Pledge Ourselves to avoid "never before," "elsewhere," and similar terms which cannot be proved.

13. We Pledge Ourselves to avoid the use of the term "made to sell at," inasmuch as it lends itself to abuse and misrepresentation.

14. We Pledge Ourselves to refrain from advertising articles as given away "free" unless the article so advertised can be obtained without any obligation either in purchasing other merchandise or by performing a service.

15. We Pledge Ourselves to use such terms as "sample," "Clearance," "remnants," "special purchase," "marked down," "reduced," etc. only when expressing exact facts.

16. We Pledge Ourselves to advertise "seconds," "factory rejects," "sub-standards," etc., in a manner so prominent that it will be clearly indicated to the reader that such merchandise is not first quality.

17. We Pledge Ourselves to discourage the use of trade names that, of themselves, are misleading.

18. We Pledge Ourselves to a careful use of trade names of fabrics consisting of fibre, silk, and cotton, silk and wool, wool and cotton, etc., qualifying these terms to indicate the materials involved.

19. We Pledge Ourselves to maintain names which, through popular usage, have come to mean the names of





fabrics of particular content, such as Pongee, Taffeta, Cashmere, Wool, Linen, etc.

20. We Pledge Ourselves to the use of branded names only when they shall be applied to articles made by the legal owners of such brands.

21. We Pledge Ourselves to a clear and honest description of finishes, materials, workmanship, quantities, sizes, dimensions, and colors, so as to avoid any possible deception or misrepresentation.

22. We Pledge Ourselves to avoid the use of illustrations which mislead, regarding size, quality or appearance of merchandise advertised.

23. We Pledge Ourselves to govern advertising on store signs, window cards, etc., with the same strict supervision that we have pledged ourselves to apply to newspaper and other forms of advertising.

24. We Pledge Ourselves to influence sales-people to an observance of truth in selling that shall be in accord with our principles of "Truth in Advertising."<sup>1</sup>

(III)

#### Standards of Practice

The conduct of the Financial Advertisers' Association and of the members comprising it is governed by the following Standards of Practice:

First: To encourage clean and efficient advertising.

Second: To discourage the publication by newspapers and periodicals of financial advertising that does not measure up to the highest standards.





Third: To develop among financial institutions mutual points of contact which will tend to improve advertising so that this betterment will become permanent and nation-wide.

Fourth: To encourage by advertising the investment through reputable financial institutions of the surplus moneys of the American people.

Fifth: To discourage unreliable and unsafe investments.

Sixth: To make financial institutions realize the value of advertising, and, by co-operation, determine the the most effective means of building business, through advertising, in the various departments of a modern financial institution.

# Research Bureaus

There has been a development to combat claims in advertising by analyzing products and making public the results. Various research bureaus have been established which disseminate true information concerning nationally advertised products to persons connected with the bureaus. It is unfortunate that this information is limited to selected groups, as general and widespread publication of facts thus secured would undoubtedly do much to reduce unethical advertising to a minimum.

The more important bureaus are those conducted by the American Medical Association, the United States





Government--The Bureau of Standards, and the recently organized Consumers Research, Inc. The American Medical Association maintains a laboratory to test any product which uses health claims as a basis for its advertising. It has been one of the strongest and most effective means of fighting the patent-medicine evil. Its files are crowded with cases which have borne the brunt of investigation. Advertising with pseudo-scientific claims has also been attacked. A recent case was that of the Scott Toilet Tissue, which was forced to cease its campaign as a result of an expose conducted by the Association. Advertisers and agencies respect the power behind this organization and ethically minded copywriters bear its provisions and wardings in mind when planning new campaigns. The stamp "Approved by the American Medical Association" carries with it an assurance that is the envy of all products which do not measure up to the standards of the Association.

However, there has been considerable criticism directed against this organization. Many people feel that it is too commercial, that in this way it offends the highly respected Medical Code. There have been cases in which this criticism appears to be justified. They are fortunately in the minority, and carry little weight against the many, many investigations to which no possible stigma of commercialism could be attached. A second criticism is more defensible. It is one levied





against all present research bureaus. The information resulting from tests is given only to members of the medical profession or to public authorities when a case is sufficiently serious to warrant prosecution. The Association could do much to aid and protect the consumer purchasing in the general market with little else beside an attractive package and doubtful advertising claims to guide his choice. There is therefore, some justification in feeling that in this case a greater number would be served by a less "ethical" release of facts secured in research.

#### United States Bureau of Standards

The American Medical Association can easily defend its position of reserving the right to give information to certain classes only, but the Government is in a much less secure position in this regard. Our Government maintains an expensive bureau to test all products purchased for government use. Considering the varied organizations for which the Government buys supplies almost every article commonly used must at some time or other be studied by the Bureau. Yet this information is closely guarded. It is not open to the general public. I believe the reason that it is not, is because it would interfere with "fair competition." But is not the welfare of its millions of citizens a more important factor? In "100,000,000 Guinea Pigs," Messrs. Kallet and Schlink give many instances of Government investigation of





products which have proved to be not at all what they claimed to be, and were consequently discarded as possibilities by Government purchasing agents. There is a wealth of information in the files of the Bureau which could be easily turned to social advantage. The Government is designed to serve the people and in this respect it falls decidedly short of its aim.

Consumers' Research, Incorporated.

The general public not having access to the facilities of the two previously mentioned bureaus finds in the Consumers' Research, Incorporated, a means by which they can secure truthful reports on widely distributed products. This organization is financed by subscribers to bulletins published by the Corporation. Laboratories are maintained in Washington, New Jersey, very near New York City, and all information released is strictly current. Products are analyzed and given a rating. Price classes are considered and articles in each range studied, so that results are applicable to each purchasing level. Subscribers pay an annual fee which entitles them to all General Bulletins, and an added fee if they wish to have the Confidential Bulletins. These last are the more valuable, although many product study results and recommendations are published in the General bulletins.

The scope of the work is very varied. Studies have been made of correspondence schools and of cosmetics; of





automobile oils and knives. In addition to recommending the best product, this Bureau includes in its reports much general information in regard to the particular industry under discussion. Trade terms are defined, sources of raw products explained and methods of production described. The bulletins provide the subscriber with an industrial education that should prove intensely interesting to the average layman. For the value received the fee is proportionally small.

Once the movement gains headway by securing a tremendous number of subscribers and its information is widely disseminated, manufacturers will undoubtedly feel the results of its investigations. Human nature being what it is, confidential reports do not remain confidential, and if the service is widely subscribed, it will be five times as widely used. Unless manufacturers find a means of curbing its activities in the future, it will prove to be an important factor in the focal nerve of all industry---the Sales figure.

Conclusion to this report.

#### The Federal Trade Commission

The Federal Trade Commission is a board which was established in 1914 to administer antitrust in the domain of commerce and industry. This Commission took over the work formerly handled by the Bureau of Corporations in the Department of Commerce, but in the amended Commerce Act Congress also authorized the addition of a new department.





## V

PRESENT LEGAL CONTROVERSY

Business Codes have done a great deal to raise standards of practice but they are most effective among innately honest business men when competition is not too intense. Of late years, however, codes of practice have not been sufficient to curtail unethical methods, and there are always those for whom nothing but a law will do. It is for these individuals and firms, and because of the stress of competition, that it has been necessary to find means of enforcing codes and Common Law--a necessity which has led to the legislation in regard to advertising and fair practice.

The Printers' Ink Statute already discussed, was the first of the legislation in the interests of this industry. It has gained many sponsors and is now effective in some form or other in a slight majority of the States. Advertising being so closely related to fair practice that we find other statutes also being used to enforce fair competition in this respect.

The Federal Trade Commission

The Federal Trade Commission is a board which was established in 1914 to exercise authority in the domain of commerce and industry. This Commission took over the work formerly handled by the Bureau of Corporations in the Department of Commerce, but it has acquired from Congress other authority in addition. It is empowered





in a broad way to investigate and to prevent all unfair competition in commerce and industry, save among transportation companies and banks, both of which are under the supervision of other Federal authorities. Finance is now under the direction of the new SEC.

The Federal Trade Commission has jurisdiction over interstate commerce and because of this, controls all nationally distributed products. It can investigate any restraint of interstate commerce and any unfair competition in foreign or interstate trade by manufacturers or manufacturing corporations. The Commission may, after its investigation and hearings, issue orders designed to prevent the unfair competition. Appeals from such orders may be taken to the Circuit Court of Appeals and from there to the Supreme Court, so that if funds for defense are available an offender may postpone for many months an actual restraint in his advertising campaign. The Commission may report extreme cases to the Attorney-General's office for prosecution, a privilege it exercises all too infrequently.

#### Pure Food Act

Effective protection of the consuming public is difficult, in fact practically impossible, under the statutes now on the books. Legislators are cognizant of this fact and the task of rewriting the pure food and drug laws is a task which now confronts Congress. There has been a great deal of opposition to all the





bills introduced to date from the lobbyists gathered in Washington to defend their own interests. These individuals see their business welfare threatened and they are waging fierce battles against the drastic proposals for Federal supervision of their industries.

The original Federal Act of 1906 marked the culmination of a long struggle in which the awakening of public interest to the need for protection was the basic moving force. This same need exists today as the average consumer appears to be most ignorant of the perils lurking in some foods and drugs. "The famous act of 1906 was rather limited in scope. It provided for the seizure by the Federal officials of food and drug products in interstate commerce, which were found to contain poisonous or deleterious ingredients, harmful to public health, or putrid filthy or decomposed animal or vegetable matter. The law called for the seizure of food or drug products so grossly adulterated or misbranded with false or fraudulent claims as to impose seriously on the public or to have a demoralizing influence on legitimate trade practices."<sup>1</sup>

The administrators of this act found enforcement difficult. The penalty of seizure did not drive them from business, in fact was no penalty at all. The situation was most serious in regard to patent medicines. In prosecuting against the manufacturers of these quack





remedies, the Government had to prove under the law not only that the article was a fake but that the manufacturer knew it to be a fake. He could not be convicted of mis-handling his product unless it could be shown that he had fraudulent intentions of deceiving the public. This condition in the law has made it ineffective in many cases as juries are frequently deceived by an appearance of innocence and guile.

Thus the present law is not adequate and must be revised. Its enforcement depends upon persuading juries that the medicine man has evil intentions. The burden of proof is placed upon the Government in its attempt to convince the courts that the public should be protected from even the most obvious of quacks. It is a ridiculous state of affairs, decisions being based in the majority of cases on psychological treatment of the jury and not on medical facts or disastrous results to consumers.

The Government officials are also hampered in dealing with violations of the law because of their lack of authority in supervising the manufacture of food and drugs. The Government cannot close a factory or deny an article entry into interstate commerce. "Jurisdiction does not begin until an article has been shipped or offered for interstate shipment, or is in the course of importation or exportation."





That the law needs to be strengthened there is no doubt, but how far this added stringency shall extend is the mooted question. The present system of fines is very mild, it has not served as a deterrent to lawbreaking. The maximum penalty for a first offense is \$200. This was the highest sum that could be imposed upon those recently adjudged guilty of shipping the poisoned Jamaica Ginger that paralyzed thousands throughout the country. A \$300 fine, or one year's imprisonment, is the maximum penalty for second offenders. Seizure of shipments, fines under the Postal Statute of using the mails to defraud, and penalties under the Food and Drug Act are slight punishments for such serious offenses. Such mild penalties even encourage violations of the law--the gains are great, the consequences minor. In addition to this barrier against enforcement there has been a lack of men and money to carry out investigations. The law has indeed proved futile.

In 1906 advertising such as we know it today was in its infancy and consequently no definite provision was included in the act to combat abuses of this type. At that time a manufacturer depended upon labels to attract customers. Therefore, the consumer was thought to be protected by the stipulation in the law that all the statements on the label should be true. The labels of 1935 are chaste, artistic and legal. The manufacturer does not expect them to build up his sales so he has no





objection to keeping them within the law. Advertising is his great salesman today. A desire to buy is aroused in the customer by subtle suggestion and description long before the article is handled or inspected by the purchaser.

In the revision of the law many legislators are fighting for protection against the false and fraudulent advertising of foods, drugs and cosmetics. President Roosevelt sent a message to Congress during the first week of April, 1935, urging quick action on the revision. He deplored the present state of conditions and advocated immediate reform. As the law now stands the Federal authorities are powerless in preventing the sale of injurious aids to beauty. They cannot be classed as foods or drugs, and therefore go scott-free without a restraint of any kind. Lipstick, eyelash salves, and weight reducing compounds have caused fatalities and yet there is no law to control such products. Marmola, a "slenderizing" product was the subject of a Supreme Court case, the decision being rendered in favor of the compound by removing it from the power of the Federal Trade Commission. The Court held that although Marmola was dangerous the Federal Government could exercise no control over it since it was not intended for the treatment of diseases. Since this was not its purpose, it was not a drug within the meaning of the law. This incident is an illustration of the inadequacy of the law.





Consumer agitation has been stimulated by the work of several authors. The best known are Kallet and Schlink, whose "100,000,000 Guinea Pigs," published in January, 1933, gave great impetus to the movement. The book is written in a sensational, probing style, with many innuendoes. It is on the whole accurate, but is grossly unfair in many incidents as many statements are not backed by printed facts. Stuart Chase, a Consumers' Research man a co-author with Schlink of "Your Money's Worth," is another who has done much to arouse consumer interest in this vital problem. These authors have also written many articles published in widely-read magazines, and the years 1933-1935 have seen a bitter war waged, with heated accusations and angry counter-charges. Leaders in advertising are most reluctant to have a code of ethics forced upon them. They wish to "police" the industry themselves. All recognize the need for greater Federal control over the food and drug industries, but they greatly fear the inclusion of advertising restrictions in any bill designed to effect this control.

President Roosevelt, in the early part of his administration, realized the need for action and directed Rexford G. Tugwell, then Assistant Secretary of Agriculture, to write a bill to supplant the present Food and Drug Act. The measure was introduced in the Senate by Senator Royal S. Copeland, in June, 1933. It was too late for action that session, however.





Extensive hearings were held in December of the same year, in which both sides of the bill were bitterly argued. These hearings resulted in the modification of some of the more drastic clauses and the revamped bill was again presented by Senator Copeland in January, 1934. Representative Sirovich has introduced several measures providing for an elaborate system of licensing food and drug manufacturers. These bills all sponsor "reform" measures. In contrast, Representative Black has introduced the Beal Bill on behalf of the National Drug Trade Conference. Thus we have two camps fighting one another, both agreeing, nevertheless, that cosmetics should be brought under Federal control.

In spite of this situation, the struggle today really centers on these clauses in Tugwell-Copeland Bill, which may be briefly summarized:

1. Claims made by drugs must be supported by substantial medical opinion or by demonstrated scientific fact;
2. Actual potency of antiseptics and germicides shall be truthfully indicated;
3. Self-medication for certain dangerous diseases should not be encouraged by advertising patent medicines;
4. A drug shall be deemed misbranded or falsely advertised if it is represented as a specific cure for a disease when it is merely a palliative





1  
for the ailment.

Critics of the bill argue that the Secretary of Agriculture has been given too wide discretionary powers. Lobbyists against the bill are waiting an opportunity to insert clauses which will curb these powers or make their enforcement less effective.

It is proving to be a difficult task to regulate these industries and their advertising, and the attempt to do so is bound to be a long-drawn-out process. Most manufacturers are honest, yet there are enough irresponsible people dealing in foods, drugs and cosmetics today to make it necessary to amend the law and to give the Government more power if the consumer is to be adequately protected by the Federal authorities. The law must keep apace with the times and a puzzled Congress is striving to make it do so.

1--Deering--Food, Drug & Poisons--Current History, April, 1934

Division of the bill says that the Secretary of Agriculture  
has been given too wide discretionary power. Legislators  
regard the bill as waiting an opportunity to insert  
changes which will curb these powers or take them away.

Forced to face reality.

It is proving to be a difficult task to regulate  
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to do so is bound to be a long-drawn-out process. Food  
manufacturers are honest, yet there are enough dishonest  
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Government more power if the consumer is to be adequately  
protected by the Federal authorities. The law must keep  
pace with the times and a puzzled Congress is striving  
to make it do so.



## VI

## SUMMARY

Advertising is the handmaiden of business and as such should be above reproach. After studying advertisements in magazines and newspapers during the past year, it is my opinion that the majority of our advertising is interesting, entertaining and in good taste. It is a small minority which manages to cast a shadow over advertising in general by stooping to unethical practices, in order to gain the attention of the purchasing public. In my "Ethics of Contemporary Advertising," I have attempted to analyze this unethical minority and to show what has been done to remedy this unethical situation.

An article is recommended to the public because a radio crooner likes it, another systematically creates and fosters fear of unpleasant-breath-in the majority of cases a fear absolutely unfounded. Others mentioned previously use awesome medical terms to inspire confidence in some cases, fear in others, and thereby increase sales. Comic strips turn out to be dialogues about common home products. One is regaled with a hysterical domestic drama of lost love resulting from failure to use a certain toilet accessory--a favorite appeal today. Such advertising has become familiar to all. It is considered amusing by many, but is beginning to worry the advertising man. The great power with which he is concerned, the power of the printed





page, must slowly but surely become discredited by such practices. Testimonials have so lost weight that companies now include in the advertisement the fact that no money was paid for the endorsement, leaving discreetly in the air how much has been paid in the past.

An organization which investigates and returns confidential reports upon the value and utility of all kinds of products has gained thousands of members simply because a great many people are beginning to turn from advertising, even at a nominal cost to themselves, to a service bureau, in order to supply themselves with information which they can trust. A second public condemnation of present day advertising was the popularity of magazines ridiculing advertising--such as Bally-Hoo--carrying to a logical conclusion all its absurdities, exaggerations and misrepresentations.

What can we do about this situation? How are we to force certain advertisers out of this mire of chicane, vulgarity, and unfair competition? For it must be apparent to every thoughtful person that something must be done about it. The tremendous power of the printed page--of which the advertising man has daily concrete evidence--influences the thoughts and actions of every one of us, and shapes in fact that nebulous structure of ethical and aesthetic values which is the national soul. It is this important power which is being prostituted before our eyes.





It is possible to check this era of unscrupulous advertising. We have the laws which we, as a nation, have passed. There is no doubt that these laws should be revised, their powers broadened and made more stringent. However, the passing of new legislation is a lengthy and tedious procedure. The consumer should not wait for reform to be effected in this manner, he should help himself with the means already at hand. The present laws should be enforced, more prosecutions should be made. Consumers should complain more frequently to Better Business Bureaus which will gladly undertake investigation, and if necessary, prosecute. Even with present legislation much could be accomplished.

There is still another way to force the adoption of higher standards by advertisers. The consumer can make unethical advertising unproductive through active hostility and resentment. This resentment is already in evidence but it is unorganized. The sensitive citizen feels at least dimly that many of the advertisements he reads are an insult to his intelligence; but he feels also, perhaps, that such appeals are well enough adapted to a lot of people who are not so clever as he. With the discerning minority, however, such a citizen has neither influence nor contact, as organization is lacking. Thus it happens that the masses who are incapable of discrimination are unaware that anything is wrong; the better-educated citizen shrugs his shoulders,





tries to forget it, and no reform is effected.

H. A. Batten, an executive in the large advertising agency of Batten, Barton, Durstine and Osborne, offers several constructive proposals.<sup>1</sup> Mr. Batten has long been a leader in movements to improve the standards of advertising methods and is obviously sincere in his desire to help both the advertising industry and the consumer for whom the industry has been organized. He writes: "Let every person who feels some concern in this matter of advertising make a resolution not to buy any more goods which are advertised in a fraudulent or other unethical manner, no matter how good the product is or how long the consumer has been in the habit of using it. Let the article remain blacklist until such time as the advertiser sees fit to reform. Go to the shopkeeper who sells the goods and tell him what you intend to do. Urge your friends to do likewise." If enough people would do this--if a relatively few people would do it--there would be consternation in the enemy's camp. The retailer would complain to the wholesaler, the wholesaler would complain to the manufacturer's salesman, and the salesman would report to the manufacturer. At this point the manufacturer should pause and reflect, turn right about face and clean up his advertising campaign.

This is no idle dream. The ear which the industrialist

1--"Vulgar Advertising"--Printers' Ink Monthly, August, 1932





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holds to the solid earth of public opinion is both apprehensive and sensitive. The industrialist builds upon mass production. He must please the public, and if he has reason to suspect that the public does not like his goods or his method of selling them he will waste no time in correcting this state of affairs.

Unfortunately there is no organization or medium by which this boycott can be consistently promoted. If it gains common acceptance it must be by word of mouth among public-spirited people or by editorial comment in public-spirited newspapers and magazines. The doctrine having been spread, its effectiveness depends upon the steadfast adherence of those who wish to force a reform not only on an individual concern, but by example on an industry in general.

Great movements have sprung from small beginnings. Such a plan outlined above might be classed as a sentimentalist's idea. But this is not the case. Mr. Batten is a forceful advertising agent and his vocation makes his views all the more significant. Also, he is not alone in this theory. It has been put forth by other advertising men, by leaders in other industries and by people interested simply from the consumer's point of view. The general public must be awakened to the problem if we, as a nation, are to preserve our dignity. A solution must be found which will force certain advertisers to remember that the majority have high standards and that there is a code of ethics in advertising.





# B I B L I O G R A P H Y

## I

### Magazines and Pamphlets

Atlantic Monthly, December, 1932

"False Bargains Betray Us"--Earnest Elmo Calkins  
Advertising and Selling, January 19, 1933

"The Renewal of Faith in Advertising"--Robert Tinsman  
Better Business Bureau of New York City

#### 1933 Bulletins

"The Fair Trade Practice Provisions of the  
National Retail Code"

"The Fair Practice Code"--Address By D. C. Keller

"Book of Accuracy for Advertisers"

"Facts--then Action"

"Helping Business and the N.R.A."

"In Step with Changing Conditions"

#### Consumers' Research Bulletins

#### Printers' Ink Weekly

Appel, Joseph--"Let Advertising Police Itself"

Batten, H. A.--"Advertising and Hard Times: A  
Challenge to Business"

Capper, Arthur--"Truthful Advertising is Essential  
to Business Recovery"

Francisco, Don--"Informative Advertising Needed Now,  
More than Ever"

Larrabee, C.C.--"How Can We Cure The Ills that Threaten  
the Credibility of Advertising"

#### Printers' Ink Monthly

Batten, H. A.--"Vulgar Advertising" August, 1932

Nichols, G. A.--"Are People Losing Faith in Advertising"  
October, 1931

Thompson, T. Harry--"A Farewell to Ballyhoo"  
September, 1931





## II

### Books

- Carpenter, Charles E.--"Dollars and Sense"  
Doubleday, Doran 1928
- Chapman, Clowry--"Law on Advertising"  
Harper, 1920
- Chase, Stuart--"Your Money's Worth"  
The MacMillan Co., 1927
- Dickinson, Howard W.--"Crying Our Wares"  
Day, 1929
- Durstine, Roy S.--"Making Advertisements and Making Them Pay"  
Scribner, 1920  
"This Advertising Business"  
Scribner, 1928
- Heermance, Edgar L.--"Codes of Ethics" \*  
Free Press Co., 1924
- Hess, Herbert W.--"Advertising--Its Economics, Philosophy  
and Technique" \*  
MacMillan Company, 1927
- Kallet and Schlink--"100,000,000 Guinea Pigs"  
Vanguard Press, 1933
- Keeler, Floyd Y.--"Advertising Agency Procedure and Practice"  
Harper, 1927
- Link, Henry C.--"New Psychology of Selling and Advertising"  
Scribner, 1928
- Lord, Everett--"Ethics of Business" \*  
Ronald, 1926
- Lucas and Benson--"Psychology for Advertisers"  
Harper, 1930
- Munroe, William B.--"The Government of the United States"  
The MacMillan Company, 1930
- Presbrey, Frank S.--"History and Development of Advertising"  
Doubleday, Doran, 1929
- Starch, Daniel--"Principles of Advertising" \*\*  
A. W. Shaw, 1923
- Vaile, Roland S.--"Economics of Advertising"  
Ronald, 1927
- Vawter Foundation--"Ethical Problems of Modern Advertising" \*\*  
Ronald, 1930
- Weeks, Arland D.--"Social Antagonisms"  
McClurg, 1918

\* Consulted to a great extent.





APPENDIX  
of  
ILLUSTRATIONS







SOUTHERN INTERLUDE—due for a northern whirl next summer! Created in Davenella, woven of "Acele," the luxury yarn of fashion. This new double dotted crepe, with its exquisite fashion-dull texture, tailors in the sleek chic manner. You'll love the slimming, graceful lines of the cap sleeve frock, the dashing swing of the hip length jacket, the lively note of color in the smashing Roman stripe bow. Colors: white, maize, light blue, and peach. Sizes 12-20. Price \$35.00



Illustration A







# IT'S FUN TO BE FOOLED.

**Magical  
Beer Bowl**

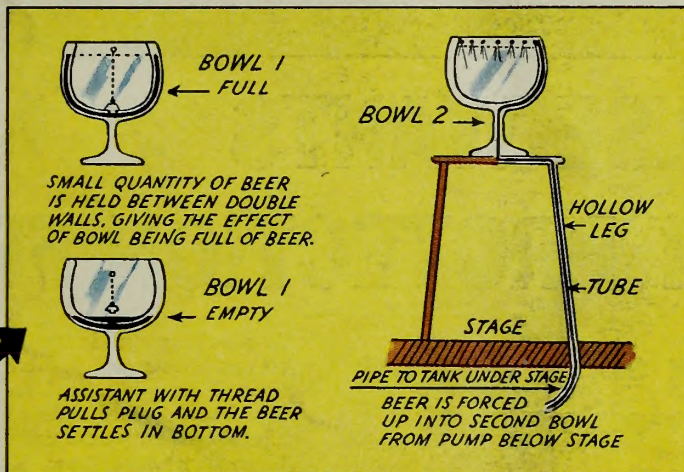


Copyright 1933, R. J. Reynolds Tobacco Company



**—AT THE SHOW LAST NIGHT**

**HERE'S  
THE  
TRICK**



**IT'S  
MORE  
FUN  
TO  
KNOW**



**BE A  
MAGICIAN**

**FREE — FOR LIMITED TIME ONLY!**

36-PAGE ILLUSTRATED MAGIC BOOK OF CIGARETTE, CARD, AND COIN TRICKS. EVERY TRICK A WINNER! NO TIRESOME PRACTICE NEEDED. SEND ORDER-BLANK AT RIGHT AND FRONTS FROM 5 CAMEL PACKS.



**R. J. REYNOLDS TOBACCO COMPANY,**  
Dept. 14-B, Winston-Salem, N. C.  
I enclose fronts from 5 Camel packs.  
Send postpaid Free Magic Book.

Name \_\_\_\_\_  
Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_

**NO TRICKS IN CAMELS — JUST COSTLIER TOBACCOS**







# The Heart Disease Paradox

In this country more cases of heart disease are being prevented each year —yet more deaths are charged to the heart than ever before.

**D**ESPITE seeming contradiction, those are the facts. Better protection of children against diseases which are often followed by heart trouble means that fewer young hearts are being exposed to injury. Better treatment of hearts temporarily damaged by the "poisons" of acute infections often prevents such damage from becoming permanent. Better control of venereal and other diseases that damage hearts has been another important factor in reducing the deathrate from heart disease at all ages up to 45 years.

\* \* \* \* \*

You can help to prevent heart disease in your home by having your children immunized against diphtheria and by protecting them, so far as possible, against other heart damaging diseases, such as sore throats, repeated colds, acute rheumatic fever, scarlet fever, measles and typhoid fever.

Should they have any of these diseases, see that your doctor's orders are strictly obeyed, so that injured hearts may not result. Especially follow his instructions as to how long the child is to be kept in bed. Rest is an important part of the treatment for "poisoned" hearts during and following any acute infection.

Annual health examinations offer a further

opportunity to control heart disease. In middle-aged people heart disease frequently results from chronic or focal infections in teeth, tonsils, sinuses or in other parts of the body.

When advisable, your doctor may employ the fluoroscope and electrocardiograph to determine the condition of your heart. He can see whether or not it is showing the effects of wear and tear long before it actually breaks down. If necessary, your doctor will advise changes in habits of work and rest, food and drink, or the correction of impairments.

Far from being cause for alarm, the mounting deathrate from heart disease at the older ages is encouraging evidence that needless deaths in childhood, youth and middle age are being prevented. Many of the deaths of older people ascribed to heart disease are really due to heart failure—just the natural, peaceful ending of a long life.

\* \* \* \* \*

More than half the readers of this page, who are about 35 years old, will pass the age of 70; and one out of five will outlive fourscore years. Many a man is adding years to his life and is enjoying what is literally a new lease of life by taking care of his heart and by making intelligent changes in his living habits.

Send for Metropolitan's free booklet "Give Your Heart a Chance." Address Booklet Dept. 934-A.

**METROPOLITAN LIFE INSURANCE COMPANY**

FREDERICK H. ECKER, PRESIDENT

ONE MADISON AVE., NEW YORK, N. Y.

© 1934 M. L. I. CO.

Illustration C









# How You Can Buy Yourself A STEADY INCOME OF \$200 A MONTH

**H**OW WOULD you like to be able to quit work some day? How would you like, when you are 55, or 60, or 65, to have a check for \$200 arrive *every month* for the rest of your life?

There is a simple plan which makes it possible. It is called the Phoenix Mutual Retirement Income Plan. It gives you a *guaranteed* income, money every month as long as you live! The interesting booklet offered at the bottom of this page explains how the Plan works.



## YOU DON'T HAVE TO BE RICH TO RETIRE

Suppose, for example, you are 40 years old and you decide you want an income of \$200 a month starting as soon as you are 55. Here is what the Retirement Income Plan provides for you:

1. A check for \$200 when you reach 55 and a check for \$200 every month thereafter as long as you live.

This important benefit is available alone; but if desired, your Plan may be made to provide in addition:

2. A life income for your wife in case of your death before age 55.

3. A monthly income for yourself if, before age 55, serious illness or accident stops your earning power for good.

See the advantages this Retirement Income Plan offers over ordinary methods of saving or investment. Your income will last as long as you do, even if you live to be 100. You don't have to worry about how long you live, or how fast you dare spend your money. You know you'll have money the rest of your life.

Best of all, your income is guaranteed by the Phoenix Mutual Life Insurance Company, an 84-year-old company with over half a billion dollars of insurance in force.

Your Retirement Income may be any amount you wish—\$100 a month, \$200 a month, \$300 a month or more. It can be-

### RETIREMENT INCOME PLAN

Here is what \$200 a month Retirement Income, payable at age 55, will do for you:

**It guarantees when you are 55** an income of \$200 a month for life. This income cannot stop until at least \$20,000 has been paid, and you can get as much as \$25,000, \$30,000 or more, depending only upon how long you live.

This important benefit is available alone; but if you are insurable, additions can be made to your plan by which—

**It guarantees upon death from accidental means before age 55** a Cash Payment to your beneficiary of \$40,000. Or a monthly income for life.

**It guarantees upon death from any other cause before age 55** a Cash Payment to your beneficiary of \$20,000. Or a monthly income for life.

**It guarantees in the event of permanent total disability before age 55** a Monthly Income for you.

Plans for retirement at ages other than 55 are available. Also special plans for women.

gin at any age you say—55, 60, or 65.

How much does it cost? When we know your exact age, we shall be glad to tell you. In the long run, the Plan will probably cost nothing, because in most cases, every cent and more comes back to you at retirement age.

Write your date of birth in the coupon below and mail it today. You will receive without cost or obligation a copy of an illustrated booklet that tells all about the Phoenix Mutual Retirement Income Plan. Send for your copy now. The coupon is for your convenience.

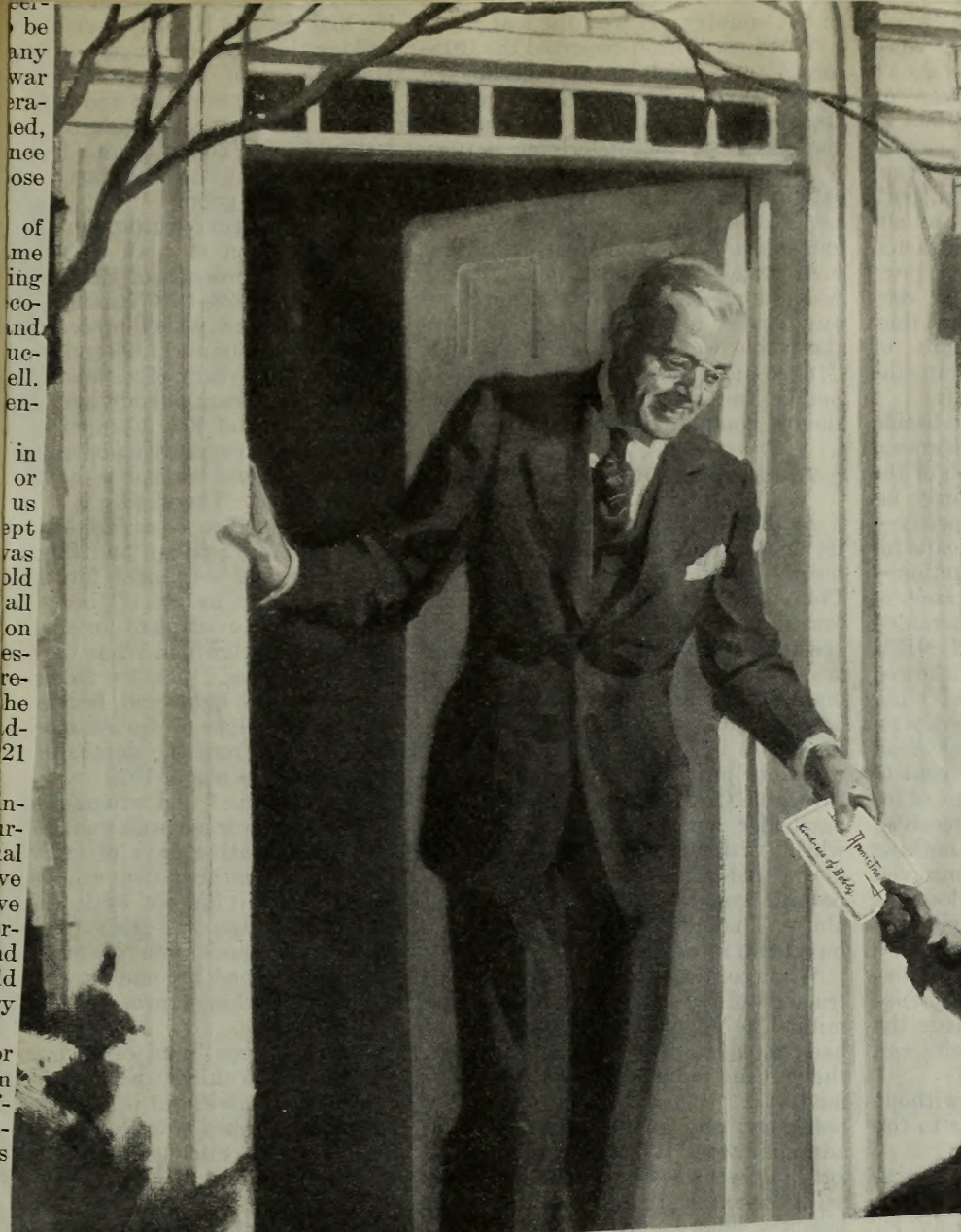
Illustration D







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DON'T LET A  
 LEAKY COOLING  
 SYSTEM TIE-UP  
 YOUR CAR  
 USE "X" LIQUID



... made by "X" Laboratories—manufacturers of  
 916 of cooling system products, among which  
 "X" FLUSH now in big quart cans at a new low price  
 5c—85c in Canada. Your cooling system requires  
 quart of flush to do a thorough job. "X" LIQUID  
 "X" FLUSH are harmless to aluminum heads. Ask  
 dealer about their protective service today.  
 "X" LABORATORIES, Inc., 25 West 45th Street, New York  
 factories: Cambridge, Mass. • Toronto, Ontario, Can.

dear D.  
 Nothing w  
 this to you h  
 It's partly beca  
 such good pals  
 through that siege  
 But more than that, he  
 and me talking, and he  
 was different from the  
 we send out—that it des  
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 suggested to carry out  
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 By the time this idea developed we  
 were in the very backwash of the high  
 to "normalcy" and little green Was  
 ington houses and little black bags and  
 Teapot Domes and Ku Klux Klans.



Illustration E









Dr. Armstrong

Kindness of Bobby

Dear Dr. Armstrong:

Nothing would do but that Bobby bring this to you himself, in person.

It's partly because you and he became such good pals when you pulled him through that siege last summer.

But more than that, he had heard his Dad and me talking, and he knew that this was different from the ordinary check we send out—that it deserved something more than the slapping on of a stamp

and routine delivery by the mail man.

And Bobby is right.

You couldn't have done more if he had been your own child. We've always known this, and yet your bill has lain here, put off month after month, while bills for other things have been paid.

It wasn't that we didn't want to pay you, for we did. But after we bought those things necessary to keep us going—food, and clothing, and coal—

our bank balance was pitiful to behold.

Now, thank heavens, things are a little brighter. And here at last is our chance to send you something more than thanks for all you did for Bobby and for us.

Sincerely,

Mrs. J — B —

**PARKE, DAVIS & COMPANY**  
DETROIT, MICHIGAN  
*The World's Largest Makers of Pharmaceutical and Biological Products*











# Feminine HYGIENE *made easy*

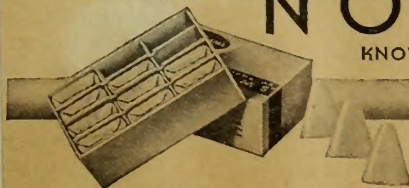
NORFORMS are antiseptic suppositories . . . very easy to use . . . and much more convenient than traditional methods of achieving inner cleanliness. They melt at internal body temperature and spread a powerful antiseptic that remains in effective contact for hours. This antiseptic—called Parahydrecin—has the unique feature of destroying germs without risk to delicate inner tissues. Norforms are harmless.

And Norforms leave no embarrassing antiseptic odor around the room or about your person. They require no awkward apparatus for application. They are completely ready and always uniform. Nothing to mix or measure when you use Norforms; you don't have to worry about an "overdose" or "burn."

Send for the Norforms booklet, "*The New Way*." It gives further facts about modernized feminine hygiene. Or, buy a box of Norforms at your druggist's today. 12 in a package, each individually foil wrapped. The Norwich Pharmacal Company, Norwich, New York, *makers of Ungentine*.

## NORFORMS

KNOWN TO PHYSICIANS AS "VAGIFORMS"









I ONCE THOUGHT  
IT WAS DANGEROUS

NOW I'VE HEARD  
THERE IS A SAFE WAY

THAT'S GREAT NEWS  
FOR MARRIED WOMEN  
IF IT'S SO

# ASK ANY MARRIED WOMAN WHO HAS TRIED IT

(or send for the booklet "Facts for Women")

**T**IMES have changed, and women have changed with them. Instead of brooding over the "failure" of their marriages, many married women are wearing a cheerful expression. What they once thought was dangerous is now found to be safe!

The news has spread around of the discovery that has taken the danger out of the practice of feminine hygiene. Ask any married woman who has tried this modern method, and she will tell you of the great change it has brought into her life—more poise, more confidence, a better and more cheerful disposition.

## *Never too late to learn*

Your grandmother (and even your mother perhaps) thought feminine hygiene was always associated with poisonous antiseptics. Nothing else was powerful enough: that was the old belief—and in the days of your grandmother it was true!

But that was before the discovery of Zonite, the great non-poisonous antiseptic-germicide that has brought joy and relief to millions of enlightened women. If you do not already know the facts about Zonite, note them carefully now. It is never too late to learn. Zonite is absolutely non-poisonous. It will not harm delicate membranes, nor produce scar-tissue. Yet Zonite is powerful. It

is the only non-poisonous antiseptic that compares in strength with the standard poisonous germicides. As a matter of fact, Zonite is far stronger than any dilution of carbolic acid that can be allowed to touch the human body.

## *Two forms of Zonite*

Zonite is on sale at drugstores everywhere. The liquid Zonite is sold in bottles, 30¢, 60¢, \$1.00. Zonite Suppositories (dainty, white, greaseless forms) are \$1.00 a dozen, sealed in separate glass vials. Many women use both.

Be sure to write for booklet "Facts for Women." It gives the latest, most authoritative information on a subject now discussed by women everywhere. Keep up to date; ask for this free booklet today.

## *Use this coupon*

ZONITE PRODUCTS CORPORATION  
Chrysler Building, New York, N. Y.

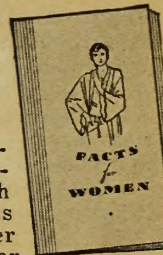
Please send me free copy of the booklet or booklets checked below. LI-52

- ☐ Facts for Women  
☐ Use of Antiseptics in the Home

Name .....  
(Please print name)

Address .....

City ..... State .....  
(In Canada: Sainte Therese, P.Q.)









# BROTHER BILL PUTS HIM WISE



I'D LIKE TO GO WITH YOU BUT I JUST CAN'T...I'M SORRY BUT I CAN'T...



YOU'RE A POLITE LITTLE FIBBER, SIS

BILL, I'M NOT! I'D GO OUT WITH HIM GLADLY IF HE WASN'T... CARELESS ....SOMETIMES....



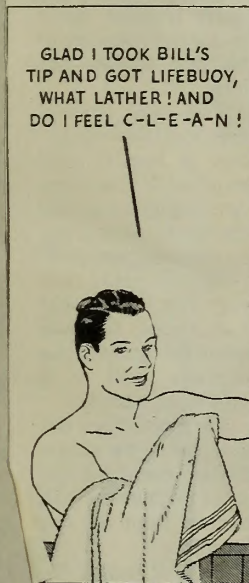
"B.O." IS THAT THE TROUBLE? I'LL DROP HIM A HINT THE FIRST CHANCE I GET



TWO DAYS LATER *the chance came*

BILL, I WANT YOUR ADVICE. YOU KNOW I'M CRAZY ABOUT YOUR SISTER. WHY DOESN'T SHE LIKE ME BETTER?

SHE WOULD, OLD CHAP, IF YOU'D JUST BE A LITTLE MORE CAREFUL ABOUT ONE THING.... "B.O."




GLAD I TOOK BILL'S TIP AND GOT LIFEBOUY, WHAT LATHER! AND DO I FEEL C-L-E-A-N!



NO "B.O." NOW *to spoil romance!*

HOW'D YOU LIKE HIM FOR A BROTHER, BILL?

TICKLED PINK!



ANYBODY EVER SAY YOU HAVE A NICE COMPLEXION, SIS?



NOT TILL I BEGAN USING LIFEBOUY REGULARLY

**L**IFEBOUY lather is super-mild yet super-cleansing. It gently washes away pore-clogging impurities that dull the skin — helps your complexion regain clearness, freshness, youth!

**Cooler weather no protection**

Hot days or cool, we perspire at least a *quart* of odor-causing waste daily. Play safe with "B.O." (body odor) — bathe often with Lifebuoy. Its lather is rich and abundant in hot, cold, hard or soft water alike. This searching, purifying lather deodorizes pores — stops "B.O." Lifebuoy's own clean, pleasant scent vanishes as you rinse.

*Approved by*  
Good Housekeeping Bureau

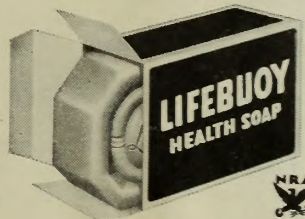


Illustration H



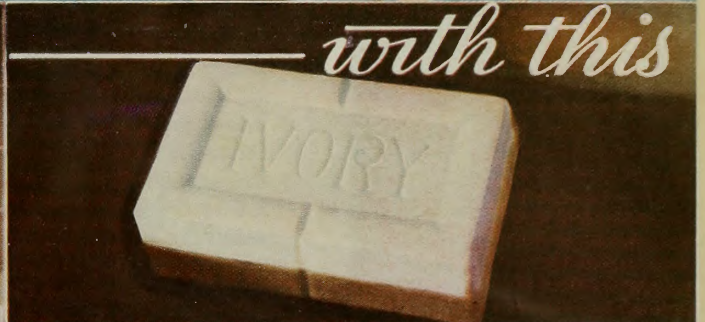




# Why be BLUE?



*take this*



*with this*

*and you'll feel like* — **THIS!**



To get rid of the blues? It's easy! Just take them and *wash* them away!

It's exactly as easy as it sounds!

Take a lukewarm bath, use plenty of pure Ivory Soap lather, and you'll chase your troubles completely away—along with the dirt and the grime.

Why? Because a bath with pure Ivory Soap is soothing. It eases the

surface tension of your skin—lets your tired nerves relax.

Ivory—the pure soap—contains no coloring, no dye, no strong perfume, no free alkali or free fatty acid—no irritants of any kind.

When you're tired, when you're blue, when you're worn and worried too—just let that clean, gentle Ivory

foam roll over you. And you'll step from the tub feeling really happy and fit. Why not try it tonight—and see?

**99** <sup>$\frac{44}{100}$</sup> % *pure*

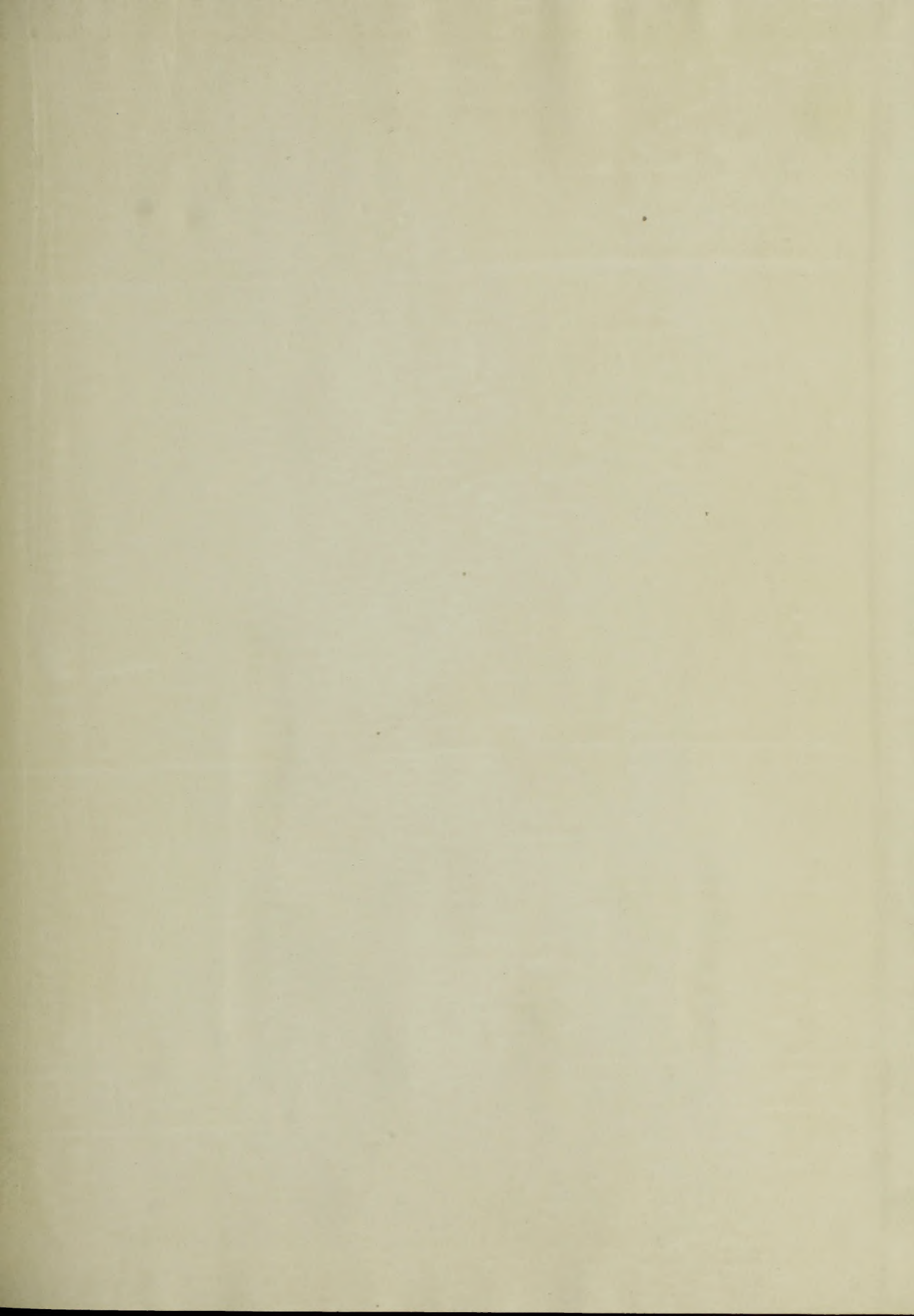
IT FLOATS

NO FREE ALKALI • NO COLORING • NO STRONG PERFUME OR FREE FATTY ACID









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Nov 23

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